Draft Program Environmental Impact Report

Mt. Eden Annexation Project

SCH No. 2003122009

Lead Agency: City of Hayward

Prepared by City of Hayward

May, 2004

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Table 1 below summarizes the environmental impacts and mitigation measures which are discussed in detail in the remainder of this Draft Environmental Impact Report.

Summary of Environmental Impacts and Mitigations

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
Impact 4.1-1 (seismic ground shaking). During a major earthquake along a segment of the Hayward Fault or one of the other nearby faults, moderate to strong ground shaking can be expected to occur within the Project area. Strong shaking during an earthquake could result in damage to buildings, roads, utility lines and other structures with associated risk to residents, employees and visitors in the area (*potentially significant impact and mitigation required*).	**Mitigation Measure 4.1-1 (seismic ground shaking). Site specific geotechnical reports shall be required for each building or group of buildings (such as in a subdivision), roads and utility lines constructed in the Project area. Investigations shall be completed by a geotechnical engineer registered in California. Design and construction of structures shall be in accordance with the recommendations contained in the reports. Generally, such recommendations will address compaction of foundation soils, construction types of foundations and similar items. Implementation of these evaluations shall be required to ensure consistency with the California Building Code and all other applicable seismic safety requirements.**	**Less-than-significant**

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.1-2 (ground failure and liquefaction)</u>. Damage to structures and other improvements within the Project area could occur from seismically-induced ground failure and liquefaction, resulting in damage to improvements and harm to Project area residents and visitors (*potentially significant impact and mitigation required*).	**<u>Mitigation Measure 4.1-2 (ground failure and liquefaction)</u>. Site-specific geotechnical reports required as part of Mitigation Measure 4.1-1 shall also address the potential for ground failure and liquefaction and include specific design and construction recommendations to reduce liquefaction and other seismic ground failure hazards to less-than-significant levels.**	**Less-than-significant**
<u>Impact 4.1-3 (grading and topographic changes)</u>. Future development of the Project area would require grading and re-contouring of existing topographic elevations to create building pads, underground utilities and improve drainage and flood conditions. Given the flatness of the Project area, the amount of grading is anticipated to be minimal (*less-than-significant impact and no mitigation required*).	No mitigation measures are needed.	

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.2-1 (soil and/or groundwater contamination).</u> Properties within the Project area may contain contaminated soil and/or be located above contaminated groundwater plumes. Construction of new residences and non-residential buildings may expose future residents, employees, visitors and construction personnel to soils and/or water-borne levels of contamination above acceptable regulatory levels, resulting in adverse health effects (*potentially significant impact and mitigation required).*	**<u>Mitigation Measure 4.2-1 (soil and groundwater contamination).</u> Prior to issuance of grading or building permits (if a grading permit is not required), project applicants shall submit a Phase I Environmental Site Analysis to the City of Hayward. If warranted by the Phase I report, a Phase II report shall be completed and all recommendations included in the Phase II report shall be included in the development Plan. If remediation is required, a hazardous materials work program shall be submitted to the appropriate regulatory agencies with a copy submitted to the Hayward Fire and Community and Economic Development Departments. Necessary permit(s) shall be obtained from the appropriate regulatory agencies. Remediation workers safety plans shall be included within each work plan.**	**Less-than-significant**

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.2-2 (demolition and hazardous air emissions).</u> Demolition of existing buildings, utility facilities and other older facilities could release hazardous and potentially hazardous material into the atmosphere including asbestos containing materials and lead-based paints, potentially resulting in health hazards to construction employees and local visitors and residents (*potentially significant impact and mitigation required).*	**<u>Mitigation Measure 4.2-2 (demolition activities).</u> Prior to commencement of demolition activities within the Project area, project developers shall contact the Alameda County Environmental Health Department, Bay Area Air Quality Management District, California Department of Toxic Substances Control and the Hazardous Materials Division of the Hayward Fire Department, for required site clearances, necessary permits and facility closure with regard to demolition and removal of hazardous material from the site. All work shall be performed by licensed contractors in accord with State and Federal OSHA standards. Worker safety plans shall be included for all demolition plans.** **<u>Mitigation Measure 4.2-3 (release of asbestos).</u> Prior to commencement of grading activities within the Project area, project developers shall conduct investigations by qualified hazardous material consultants to determine the presence or absence of asbestos containing material in the soil. If such material is identified that meets actionable levels from applicable regulatory agencies, remediation plans shall be prepared and implemented to remediate any hazards to acceptable levels, including methods for removal and disposal of hazardous material. Worker safety plans shall be prepared and necessary approvals**	**Less-than-significant**

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
	and clearances shall be secured from appropriate regulatory agencies, including Worker safety plans shall be prepared and necessary approvals and clearances shall be secured from appropriate regulatory agencies, including, but not limited to the Hayward Fire Department, California Department of Toxic Substances Control and the Bay Area Air Quality Management District.	
<u>Impact 4.3-1 (soil erosion)</u>. During future construction that could be facilitated by annexation, short-term increases of soil erosion could result due to exposure to wind and water erosion as individual properties are graded and developed (*potentially significant impact and mitigation required*).	**<u>Mitigation Measure 4.3-1 (soil erosion)</u>. Individual development projects within the Project area that disturb 10,000 square feet or more of land area shall prepare erosion and sedimentation control plans for implementation throughout Project construction. The plan should be prepared in accordance with the most current City of Hayward and Regional Water Quality Control Board design standards.**	**Less-than-significant**

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.3-2 (non-point source pollution)</u>. The quality of stormwater runoff from the Project area could deteriorate due to development as it picks up increased road surface pollutants, pesticides from increased landscaping, and other urban pollutants that do not presently exist in such high concentrations (*potentially significant impact and mitigation required*).	**<u>Mitigation Measure 4.3-2 (non-point source pollution).</u> Any new development or redevelopment projects in the Project area shall implement construction methods that comply with performance standards of Section C.3 of the new NPDES Permit. In addition, for development or redevelopment projects that disturb more than 10,000 square feet of land, a Notice of Intent is required to be filed with the State of California Water Resources Control Board (SWRCB). A Stormwater Pollution Prevention Plan (SWPPP) is also required to be submitted to the SWRCB demonstrating use of specific best management practices during both construction and operational phases of such projects.**	**Less-than-significant**

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
Impact 4.3-3 (stormwater runoff and drainage patterns). Future development within the Project area will increase the amount of stormwater runoff, since existing undeveloped or minimally developed properties would be converted to new structures, parking areas, roads and similar impervious surfaces. Existing drainage patterns will also be changed based on individual site grading operations, with resulting impacts to downstream drainage facilities (*potentially significant impact and mitigation is required*).	**Mitigation Measure 4.3-3 (stormwater runoff and drainage patterns). All new major development applications (involving 10,000 square feet of land area) within the Project area shall be accompanied by a drainage and hydrology study, prepared by a California-registered civil engineer. Each report shall document existing drainage quantities and direction, estimated increases in stormwater runoff from the proposed Project, an identification of existing and proposed funding of downstream drainage facilities and the capacity of such systems to accept additional run-off and the proposed Project's contribution to increasing the capacity of such systems, if needed. New development projects will be required to provide on-site detention, retention facilities and/or other improvements required by such studies to ensure that no net increase in downstream rate of stormwater flows occurs. Reports shall be approved by the Hayward City Engineer and Alameda County Flood Control and Water Conservation District staff prior to issuance of a grading permit.**	**Less-than-significant**

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.3-4 (flooding).</u> Portions of the Project area lie within a 100-year flood hazard area and new construction within the area could be subject to flood damage during severe storms (*potentially significant impact and mitigation is required*).	**<u>Mitigation Measure 4.3-4 (flooding).</u> For future development within a 100-year flood hazard area, future Project applicants shall:** **a) Submit a hydrology and hydraulic study prepared by a California-registered civil engineer proposing to remove the site from the 100-year flood hazard area through increasing the topographic elevation of the site or similar steps to minimize flood hazards. The study shall demonstrate that flood waters would not be increased on any surrounding sites.** **b) Comply with Article 4 of Chapter 9 (Flood Plain Management) of the Hayward Municipal Code, which establishes minimum health and safety standards for construction in a flood hazard area.** **c) Apply to the City for a Conditional Letter of Map Revision to remove the site from the FEMA Flood Insurance Rate Map 100-year flood hazard area.**	**Less-than-significant**
<u>Impact 4.4-1 (construction noise impacts).</u> Future residents within and adjacent to Project area could be subject to short-term but potentially significant noise due to the construction of new buildings, roadway improvements and associated infrastructure improvements within the Project area (*potentially significant and mitigation required*).	Adherence to Section 4-1.03 of the Hayward Municipal Code will ensure that short-term construction noises would be less-than-significant.	**Less-than-significant**

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
Impact 4.4-2 (permanent noise impacts). Future construction of residences along the east side of Clawiter Road within the Project area could be subject to exterior noise levels within the "conditionally acceptable" noise level identified in the General Plan Noise Element (*potentially significant and mitigation required*).	**Mitigation Measure 4.4-2 (permanent noise impacts). Site-specific acoustic reports shall be prepared by a qualified acoustic consultant for future residential construction located along the east side of Clawiter Road. Each report shall include an analysis of potential noise exposure from residential development and include specific measures to reduce exposure levels to City of Hayward noise standards.**	**Less-than-significant**
Impact 4.4-3 (aircraft noise impacts). Future residents along Saklan Road would be subject to potentially significant noise levels from touch-and-go aircraft operations at Hayward Executive Airport (*potentially significant and mitigation required*).	**Mitigation Measure 4.4-3 (aircraft noise impacts). All future residential development within the Project area shall enter into an avigation easement with the City of Hayward indicating an acknowledgment of existing and future aircraft operations. The avigation easement shall be recorded with the County Recorder prior to issuance of a Certificate of Occupancy.**	**Less-than-significant**

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.4-4 (vibration impacts)</u>. Future construction within the Dunn Road and Depot Road subareas could be subject to potentially significant vibration levels from railroad operations and truck activities (*potentially significant and mitigation required*).	**<u>Mitigation Measure 4.4-4 (vibration impacts)</u>. Future development within the Dunn Road and Depot Road subareas where vibration impacts are suspected to be a problem shall be reviewed for potential vibration impacts at the time such development is submitted for City of Hayward review. If warranted, building foundations and other improvements shall be designed to reduce vibration levels to a less-than-significant level, including excavation and compaction of site soils, special foundation designs and structural design.**	**Less-than-significant**

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.5-1 (Project traffic impacts).</u> Future traffic related to the annexation of the Project area and future development would result in increased vehicle delays by at least 5.8 seconds during the PM peak hour at the intersection of Hesperian Boulevard/W. Winton Avenue and the intersection of Clawiter and an increase of at least 7.2 seconds during the PM peak hour at the Hesperian/West Winton Avenue. Planned roadway improvements in and adjacent to the Project area (namely the Industrial Assessment District (IAD), which includes the Clawiter Road/Whitesell Street interchange, the Whitesell Street extension to Cabot Boulevard and the West A Street extension to Corsair Boulevard) will provide additional roadway capacity in the future to accommodate Project-related traffic. (*less-than-significant impact and no mitigation required).*	No mitigation measures are needed.	
<u>Impact 4.5-2 (cumulative traffic impacts).</u> Anticipated development within the Project area will be consistent with land use density and intensity as set forth in the General Plan. (*This impact is considered significant and unavoidable; therefore, a statement of overriding considerations will be required).*	**No mitigation measures have been identified.**	**Significant.**

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.5-3 (public transit impacts)</u> Annexation of the area and future development of the Project area under the auspices of the Hayward General Plan would increase AC Transit ridership and ridership of other public transit providers (*less-than-significant impact and no mitigation required).*	No mitigation measures are needed.	
<u>Impact 4.5-4 (bicycle and pedestrian impacts).</u> Missing street and sidewalk improvements in the Project area would be facilitated in the City of Hayward, as new development occurs (*less-than-significant impact and no mitigation required).*	No mitigation measures are needed.	
<u>Impact 4.6-1 (water demand).</u> Approval of the proposed annexation would allow City water service to be extended to the Project area. Future development of the Project area could require up to an average of 190,000 gallons of water per day for residential uses and 109,200 gallons per day for non-residential development. While water supply is available to serve the maximum demand for this project, it should be noted that ongoing standard water conservation and demand reduction measures should be taken to reduce the impact on the water supply (*less-than-significant impact and no mitigation required).*	No mitigation measures are needed.	

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.6-2 (wastewater generation and treatment).</u> Per current Municipal Code provisions, approval and implementation of the proposed Project would require unincorporated properties in the Mt. Eden area to connect to the City's wastewater treatment system. New residential development facilitated by the annexation would generate up to an estimated 109,250 gallons of wastewater per day and 76,500 gallons per day for non-residential development. Adequate wastewater treatment plant capacity exists to accommodate new wastewater flows from the Project area, though a collection system plan that is typically required would need to be prepared prior to approval of specific projects (*less-than-significant impact and no mitigation required*).	No mitigation measures are needed.	

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.6-3 (wastewater disposal).</u> Approval of the proposed annexation and future development in the annexation area would generate an increase in the amount of treated effluent leaving the City's wastewater treatment plant. Based on discussions with City staff, the local wastewater disposal system is anticipated to be adequate to accommodate buildout of the Project area, consistent with the General Plan. Disposal of increased quantities of treated wastewater would be less-than-significant (*less-than-significant impact and no mitigation required*).	No mitigation measures are needed.	
<u>Impact 4.6-4 (solid waste disposal).</u> Approval of the proposed annexation would not change the current solid waste collection provider services; however, construction of new development would increase the amount of solid waste entering the waste stream. Additional quantities of solid waste, including construction debris, could be recycled at any permitted facility or disposed of at the Altamont Landfill. New capital equipment and personnel required to collect additional solid waste would be funded from user fees and charges (*less-than-significant impacts and no mitigation is required*).	No mitigation measures are needed.	

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.6-5 (fire protection).</u> Approval of the proposed annexation would place all of the Project area under the jurisdiction of the City of Hayward Fire Department. It would also increase the number of calls for service for fire protection and emergency medical response based upon eventual construction of new residences and non-residential development. Compliance with current Fire and Building Codes for all new individual development projects and extensions of the City's water service to the Project area would reduce this impact to a less-than-significant level (*less-than-significant impact and no mitigation is required*).	No mitigation measures are needed.	
<u>Impact 4.6-7 (police protection).</u> Approval of the proposed Project would place all of the Project area under the jurisdiction of the City of Hayward Police Department. It would also increase the number of calls for service for emergency services based upon eventual construction of new residences within the City of Hayward. Adherence to standard security measures imposed by the Police Department would reduce this impact to a less-than-significant level (*less-than-significant and no mitigation is required)*.	No mitigation measures are needed.	

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.6-8 (electrical and natural gas systems)</u>. Approval of the proposed Project would facilitate incremental increases in the demand for electrical power and natural gas in the Project area; however, suburban uses have occupied portions of the area for a number of years and capacity exists with extensions of service lines within the Project area to serve planned uses. Annexation of unincorporated lands within the Project area would have minimal effect upon power provision (*less-than-significant impact and no mitigation required*).	No mitigation measures are needed.	
<u>Impact 4.6-9 (telecommunication facilities)</u>. Annexation of unincorporated lands to the City of Hayward would not affect provision of telecommunication to the Project area. Construction of new development would increase the demand for telecommunication facilities within the Project area. However, existing facilities can be extended to serve the site so the impact to telecommunication services would be less-than-significant (*less-than-significant impact and no mitigation required*).	**No mitigation measures are needed.**	

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
Impact 4.7-1 (local and community park and recreation facilities). Approval of the proposed annexation and subsequent development within the City of Hayward would increase the demand for local and community park and recreation facilities within the Mt. Eden area by 7.3 acres of parkland (*potentially significant and mitigation required*).	**Mitigation Measure 4.7-1 (local and community park and recreation facilities). Payment of park dedication in-lieu fees or dedication/development of parkland and/or recreation facilities, as approved by HARD, at the time future development is permitted, will off-set the demand for future parks. Possibilities for enhanced park and recreation facilities in and adjacent to the Project area may include the expansion and development of Greenwood Park, and/or the expansion of joint use facilities at Chabot College and Ochoa Middle School/Rancho Arroyo Park.**	**Less-than-significant**
Impact 4.7-2 (library impacts). Future impacts to the library system would be minor (*less-than-significant impact and no mitigation is required).*	No mitigation measures are needed.	
Impact 4.7-3 (local schools). Future development within the Project area would generate an estimated 190 elementary school students, 43 middle school students and 100 high school students at buildout of General Plan residential land use mid-range densities (*potentially significant and mitigation required*).	**Mitigation Measure 4.7-3 (local schools). Prior to approvals of land use entitlements for individual development porojects within the Project area by the City of Hayward, each project proponent shall pay school impact mitigation fees in effect at the time building permits are granted, or provide other mitigation as found acceptable by the Hayward Unified School District.**	**Less-than-significant**

Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
<u>Impact 4.8-1 (loss of trees).</u> Future widening of streets within the Project area to accommodate anticipated development would result in loss of trees protected under the City's Tree Preservation Ordinance. Other protected trees would likely be removed on private property to accommodate development envisioned in the Hayward General Plan (*potentially significant impact and mitigation required*).	**<u>Mitigation Measure 4.8-1 (loss of trees)</u>. Prior to widening of any streets within the Project area or development on private properties where protected trees exist, a tree survey shall be completed by a qualified arborist to determine if protected trees could be preserved and to identify specific preservation methods. If preservation is not feasible, a tree replacement plan shall be prepared in conformity with the City's Tree Preservation ordinance and approved by the Hayward Community and Economic Director.**	**Less-than-significant**

2.0 Introduction

2.1 Purpose and Overview of the Environmental Review Process

This document is a Draft Environmental Impact Report (to be known hereafter in this document as the DEIR), prepared pursuant to the California Environmental Quality Act of 1970 (CEQA), as amended. This DEIR describes existing environmental conditions within and adjacent to the proposed Project area within the City of Hayward. The DEIR also includes measures which could be incorporated into the Project to mitigate (lessen) anticipated environmental impacts to a level of insignificance or eliminate them entirely. Finally, this DEIR identifies and analyzes feasible alternatives to the proposed Project, cumulative impacts of this and other projects on the environment, and other mandatory elements as required by CEQA.

Responses to comments received regarding this DEIR during the public review period will be included in the Final Environmental Impact Report (FEIR). Together, the DEIR and FEIR constitute the full Environmental Impact Report (EIR) for the Project.

As provided in CEQA and implementing guidelines, public agencies are charged with the responsibility of avoiding or minimizing environmental damage to the fullest extent feasible. In fulfilling this responsibility, public agencies must balance a variety of objectives, including economic, environmental and social factors. As an informational document to local officials, governmental agencies and members of the public, the purpose of the EIR is to serve as a disclosure document, identifying potential impacts, mitigation measures and alternatives.

Approval of the EIR by the lead agency does not constitute approval of the underlying Project, in this instance, the adoption of the proposed pre-zoning and annexation of the affected Mt. Eden properties to the City of Hayward.

2.2 Lead Agency

The City of Hayward is the lead agency for preparation of the EIR, as defined by Section 21067 of CEQA. This means that the City of Hayward is designated as the public agency which has the principal responsibility for approving or carrying out the proposed Project and for assessing likely environmental effects of the proposal. The Alameda County Local Agency Formation Commission (LAFCo) will be a Responsible Agency under CEQA for use of this document for the proposed Reorganization (annexation).

Preparation of this EIR is in accord with CEQA, including all amendments thereto, and Guidelines for Implementation of the California Environmental Quality Act.

Methodologies used for determining standards of significance for each impact category analyzed in the EIR are based on CEQA Guidelines and are described in Section 4 of this DEIR. By applying appropriate significance criteria, impacts under each environmental topic have been categorized as either "significant" or "less than significant." Methods used to

determine the level of significance of potential impacts vary depending on the environmental topic, as described in the individual subsections.

2.3 Program EIR

This EIR is considered as a Program EIR, in that it describes general impacts and mitigation measures for the proposed Mt. Eden annexation program. Since implementation of the proposed Project would likely result in subsequent land use actions, including but not limited to Site Plan Reviews, subdivision maps, conditional use permits and other entitlements that would be consistent with the Hayward General Plan and Zoning Ordinance and other City development regulations, additional environmental reviews may be required pursuant to CEQA.

Use of Program EIRs are allowed pursuant to Section 15168 of the CEQA Guidelines. The scope of environmental analysis in a Program EIR is limited to those topics that can be identified at the time the EIR is prepared without being highly speculative. It is anticipated that additional environmental review would occur as individual requests for specific land use entitlements are requested in the future. It is further envisioned that this Program EIR would be used as the basis for any further environmental documentation.

2.4 Previous Environmental Documentation

This EIR relies on the environmental setting, impacts and mitigation measures contained in the "Environmental Impact Report for the Hayward General Plan Update" prepared by Lamphier-Gregory in 2001 (SCH #2001072069). The EIR was adopted by the Hayward City Council by Resolution No. 02-025 on March 12, 2002.

Copies of this document are available for review at the City of Hayward Community and Economic Development Department, Planning Division, 777 "B" Street, Hayward, during normal business hours.

2.5 Content and Organization of the Document

Sections 15122 through 15132 of the CEQA Guidelines describe the content requirements of EIRs. EIRs must include:

- a table of contents;
- a summary of the project's proposed actions and their consequences;
- a description of the proposed project, including objectives to be achieved by the project;
- a description of existing environmental conditions;
- an analysis of the anticipated impacts on the environment should the project be built or carried out as proposed;
- feasible measures which can be taken by the proponent or the City to lessen or mitigate identified environmental impacts;
- project alternatives, including the "no project" alternative;
- significant irreversible environmental changes;
- growth inducing impacts;
- significant and unavoidable impacts
- cumulative impacts, including environmental impacts of the proposed project viewed

over time in conjunction with related past, present and reasonably foreseeable probable future projects whose potential impacts may compound or interrelate with the proposed project.

2.6 Notice of Preparation

The City of Hayward has completed a Notice of Preparation (NOP) for the proposed Project and has circulated the NOP to all Responsible Agencies, other public agencies and interested citizens as required by CEQA. Copies of the NOP, initial study and responses received by the Lead Agency during the NOP review period are included within the appendix of this document (Appendices 8.1 through 8.3).

3.0 Project Characteristics

3.1 Project Location and Context

The Project area is located in the westerly portion of Hayward, generally located west of Hesperian Boulevard between West Winton Avenue and State Highway 92 (see **Figure 3.1.1**). The proposal involves three unincorporated "islands" that are completely surrounded by the City of Hayward. **Figure 3.1.2** depicts the location of the Project site in context of the larger City of Hayward; **Figure 3.1.3** depicts the location of the three islands.

The three unincorporated islands comprising the Project area include:

Saklan Road, which contains 62 acres of land with 110 parcels of record. The largest of the three islands, the Saklan Road area contains a mix of detached single-family residences, undeveloped residential lots, warehouses and industrial operations.

Depot Road, consisting of 41acres of land with 13 separate parcels. The Depot Road area contains several automobile wrecking/dismantling yards and is the most westerly of the three island areas.

Dunn Road, which is the smallest of the islands and contains 15 acres of land located along Dunn Road west of Clawiter Road. The Dunn Road area contains 29 parcels of land that have been developed with a mix of industrial and storage uses, along with a few detached single-family residences.

Surrounding land uses include a variety of industrial and warehouse uses around the Dunn and Depot Road islands. Regarding the Saklan Road island area, the Hayward Executive Airport is located across West Winton Avenue just to the north, mobile home parks are located to the northeast, single-family residential developments are located to the east and south, while industrial uses are located to the west.

3.2 Site History

The Project area has been developed within the unincorporated portion of Alameda County. Post WWII development in the Mt. Eden area was shaped in the 1950s by designating an industrial corridor and low-density development within the area. The 1952 General Plan showed industrial land use between the Hayward Executive Airport and Middle Lane with single-family, low-density housing located between Middle Lane and Jackson Street. In 1964 a new General Plan was adopted for Hayward which showed a continuation of previously planned land uses, although land was acquired in the Mt. Eden area for Chabot College and a high school. In the 1970s, the Hayward Unified School District sold its site and the College Park development was constructed. Middle Lane was extended and Greenwood Park was dedicated. In the 1980s, additional single-family development continued as well as the development of the first large apartment project in the Mt. Eden area. The City of Hayward continued to annex properties within the Mt. Eden area so that by the end of the decade,

approximately 130 acres remained within the unincorporated portion of the County.

In 1992, an application submitted by Alameda County was denied by the Alameda County Local Agency Formation Commission (LAFCO) to annex all of the properties in the Project area, as well as two other unincorporated County islands in the vicinity to the City of Hayward. However, based on input from the Alameda County Counsel's office, that action was subsequently rescinded by LAFCO and Alameda County ultimately withdrew its annexation application.

3.3 Project Description

The proposed Project involves prezoning of properties to City of Hayward zoning districts and annexation of these island areas to the City of Hayward, as described more fully below. The Project also includes future extension of utility lines, roadway improvements and similar appurtenances to portions of the Project area should annexation be approved.

No changes to existing City of Hayward General Plan land use designations for any of the properties are proposed as part of this Project, with such designations being a combination of City of Hayward Medium Density Residential (8.7 - 17.4 dwelling units per net acre), Retail and Office Commercial, and Industrial Corridor.

Prezoning
The Saklan Road area and other unincorporated properties outside the Project area located south of West Street were prezoned by the City of Hayward in 1990 as part of the Mt. Eden Neighborhood Plan. In addition, the following new prezoning actions are proposed by the City of Hayward:

- Prezoning parcels located along Depot Road and Dunn Road west of Clawiter Road to the City of Hayward Industrial (I) district.

- Changing the existing prezoning designation from City of Hayward Limited Industrial (LI) to City of Hayward Light Manufacturing, Planning/Research and Development (LM) for unincorporated parcels located between Saklan Road and Clawiter Road and for one unincorporated parcel located on the southeast corner of West Winton Avenue and Saklan Road.

Existing City of Hayward prezoning designations established as part of the Mt. Eden Neighborhood Plan are proposed to remain in place, which include Medium Density Residential (RM) for properties located east of Saklan Road and Neighborhood Commercial (CN) for five parcels located between Clawiter Road and Saklan Road north of West Street.

Figure 3.1.4 shows the proposed prezoning designations.

Although action on the proposed prezoning portion of the Project would be concluded prior to consideration of the proposed annexation (described below), the associated zoning regulations would only become effective upon completion of the annexation process.

Annexation
Annexation of the three unincorporated islands to the City of Hayward, described above, is proposed. Annexation would take place pursuant to Section 56000 et. seq. of the California Government Code, allowing and encouraging local agencies to annex unincorporated properties for purposes of governmental and service efficiency.

The Mt. Eden Project area involves annexation of approximately 118 acres of parcels and 20 acres of public street rights-of-way, totaling approximately 138 acres of land.

Upon annexation to the City of Hayward, the Hayward General Plan, Hayward Zoning Ordinance and all other land use regulations would govern future development applications within the Project area. The entire Project area is within the Sphere of Influence of the City as adopted by the Alameda Local Agency Formation Commission. As noted above, the Project area is completely surrounded by properties within the City of Hayward.

The Project area is also located within the Hayward Unified School District, the Hayward Area Recreation and Parks District, the East Bay Regional Park District and the Alameda County Flood Control and Water Conservation District. No changes to the service areas for these various districts would be affected by the proposed annexation or other actions included in this Project.

Although not a special district, the Project area lies within Alameda County's Eden Area Redevelopment Project area. All of the properties proposed for annexation as part of this Project lie within this redevelopment area and comprise a portion of one of five subareas in the redevelopment area.

Street and utility system
Access to the Project area would be provided by existing streets. No new roads are proposed as part of this Project.

The City of Hayward presently provides water and sewer service to a number of properties within the Project area. Local storm drain facilities have been constructed within the Project area which are maintained by both the City of Hayward (local facilities) and the Alameda County Flood Control and Water Conservations District (regional facilities). Electrical, telephone, natural gas and cable television service are also provided by private or quasi-public utility providers. Future extensions of basic services will be required to serve any new development within the Project area not receiving these services. Future funding mechanisms that may be undertaken to provide for major utility extensions include but are not limited to benefit districts, tax increment financing, assessment district(s) and similar mechanisms.

Future potential development
It is anticipated that, should this Project receive necessary approvals, individual property owners would subsequently submit applications for development entitlements to the City of Hayward consistent with the General Plan and zoning designations. Based on achieving a mid-range density of the existing Medium Density General Plan land use designation, an estimated 475 new dwellings could be constructed within the Saklan Road area. This would be in addition to the estimated 100 dwellings now in place.

Based upon existing General Plan land use designations, the Project area is also anticipated to accommodate 540,000 square feet of research and development and business park use in the Depot Road subarea, 390,000 square feet of light industrial floor space in the Dunn Road and western portion of the Saklan Road subareas and 28,000 square feet of neighborhood commercial use in the southwest corner of the Saklan Road area.

Timing of any new development requests is not known at the time this DEIR is being prepared.

Future individual development projects proposed within the Project area will be reviewed to determine consistency with CEQA requirements at the time such applications are filed.

3.4 Project Objectives

Objectives to be achieved through the approval of the Project include:

1) To implement goals, polices and strategies within the Mt. Eden Neighborhood Plan and Hayward General Plan, including Land Use Goal 11, "Seek to achieve more congruous boundaries to provide for the efficient delivery of public services and to create a greater sense of community," and Strategy 1 under this Goal, "Evaluate annexing unincorporated islands and adjoining county areas within the sphere of influence in light of desires of affected residents and fiscal impacts on the city."
2) To identify environmental constraints within the Project area and incorporate these constraints in the long-term planning of the area so that public health and safety concerns are minimized.
3) To develop a conceptual framework to guide future possible development of individual properties within the Project area.
4) To promote the logical extension of City of Hayward boundaries consistent with its adopted Sphere of Influence.
5) To reduce the size and number of existing unincorporated islands and further goals of the Knox-Cortese-Hertzberg Local Government Reorganization Act of 2000.
6) To promote the health, safety and welfare of Project area residents by facilitating the extension of public facilities and utilities to properties where such facilities and utilities may not currently be available.

Figure 3.1.1 Regional Location

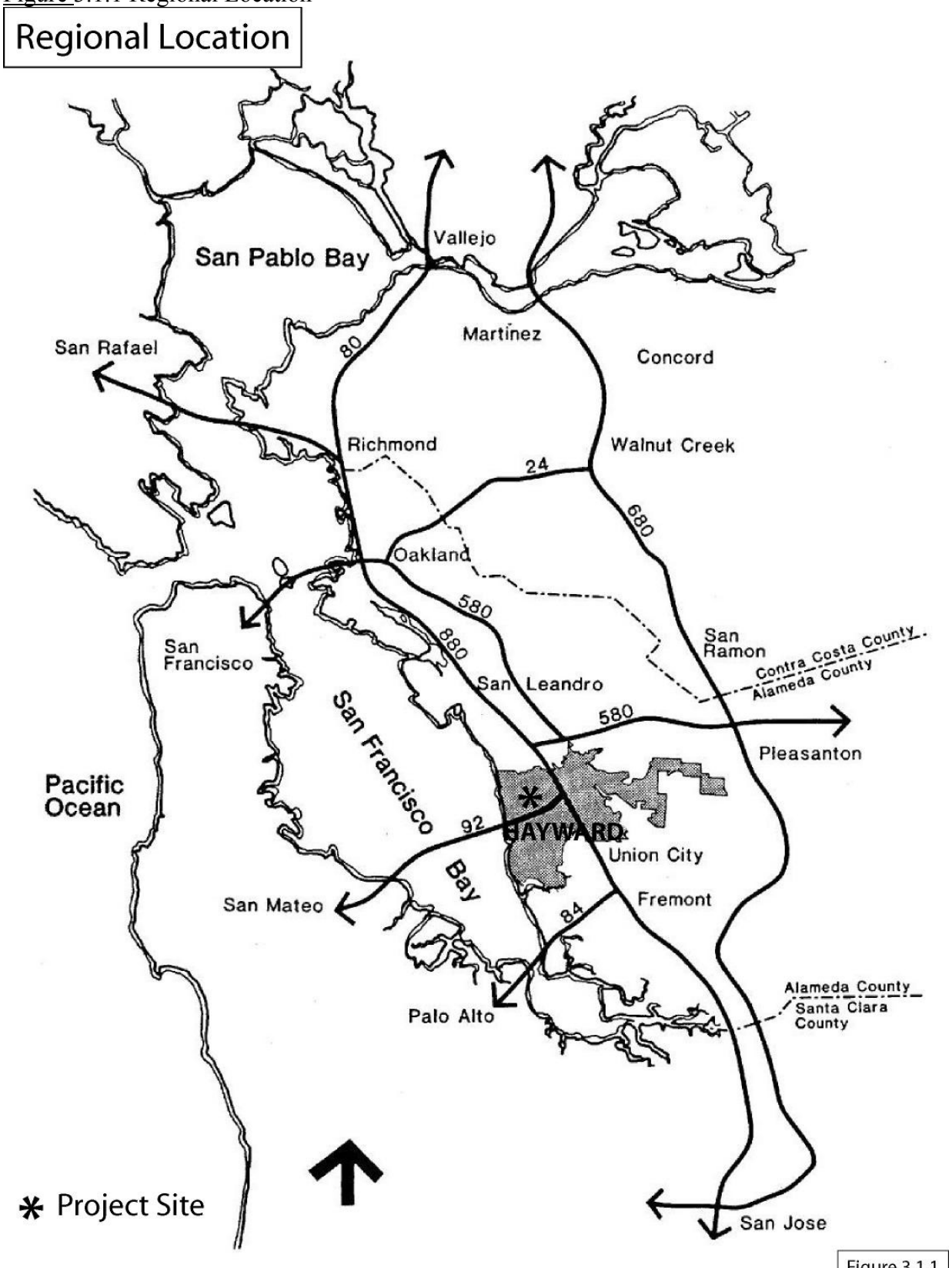


Figure 3.1.1

Figure 3.1.2 Project Setting

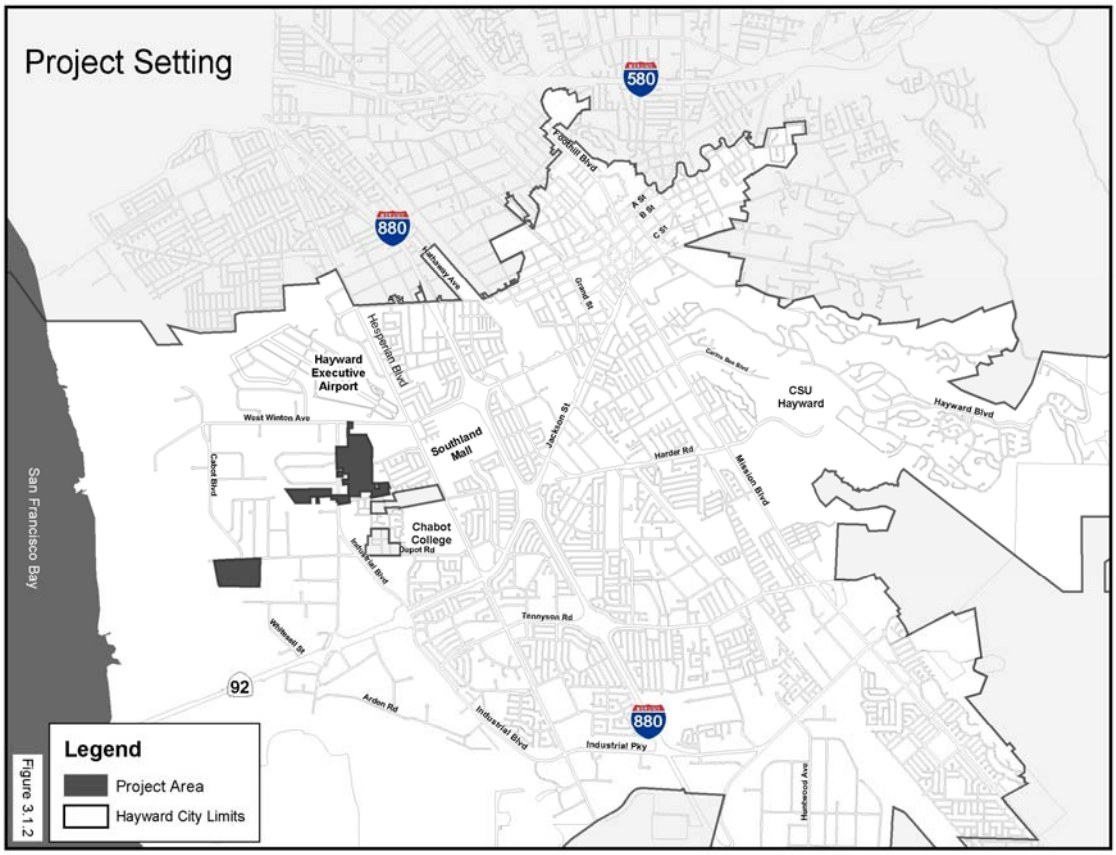


Figure 3.1.3 Project Study/Annexation Area

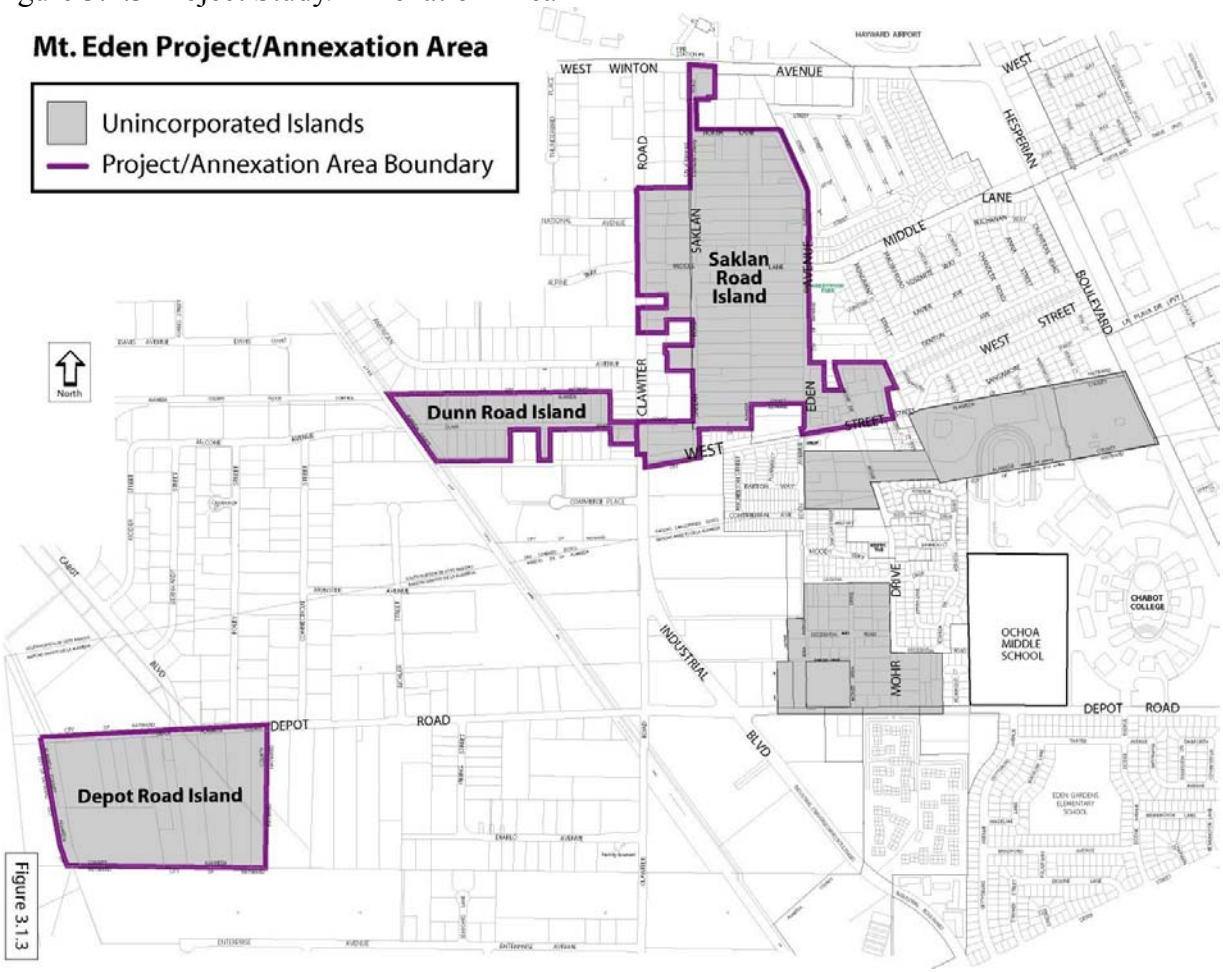
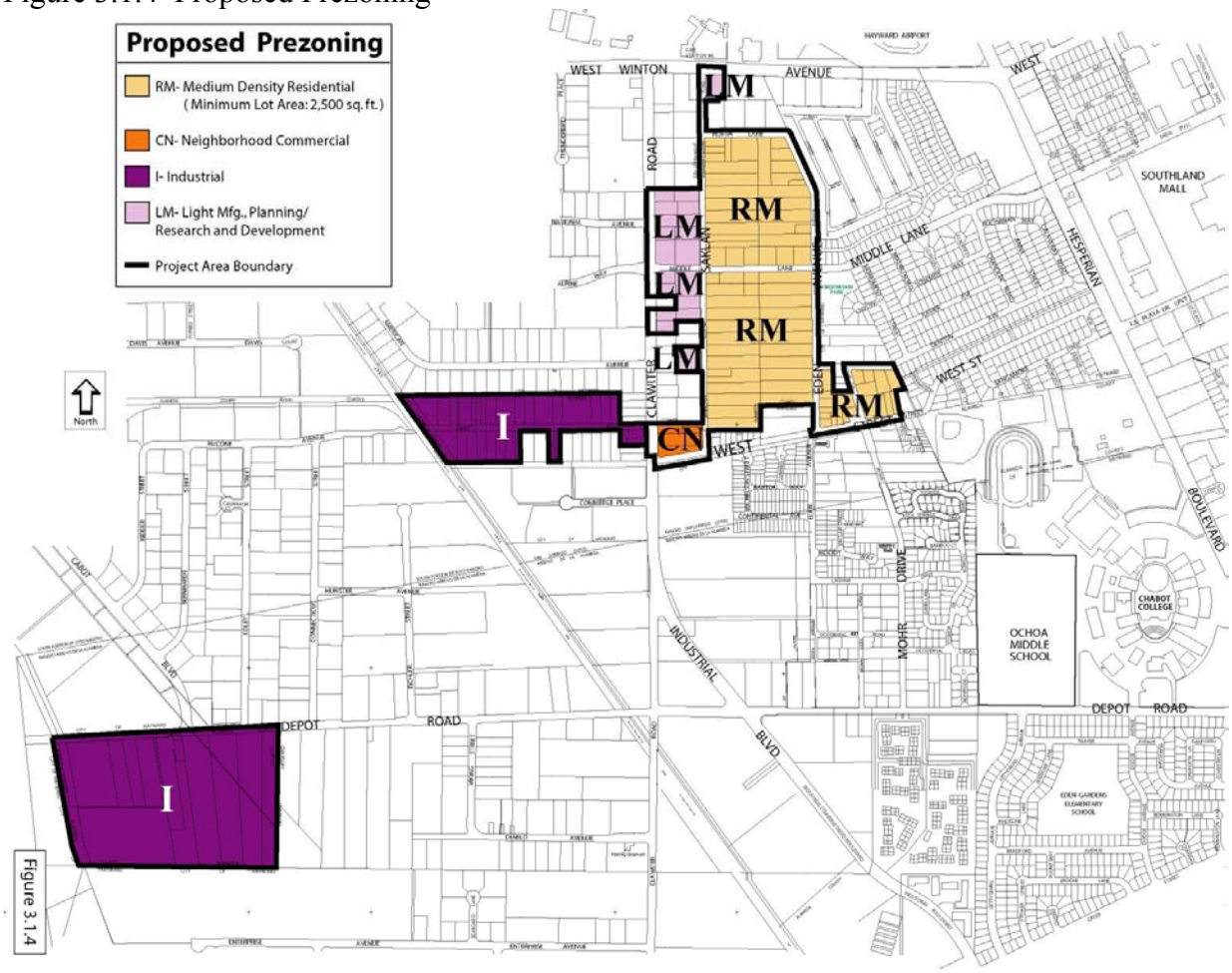


Figure 3.1.4 Proposed Prezoning



Topics Addressed in the DEIR

This section of the DEIR identifies specific environmental areas which may be affected as a result of the implementation of the proposed Project. The impact areas are discussed individually in subsections 4.1 through 4.7:

4.1 Geology and Soils
4.2 Hazards
4.3 Hydrology, Drainage and Water Quality
4.4 Noise
4.5 Transportation and Circulation
4.6 Utilities and Public Services
4.7 Schools and Parks
4.8 Visual Resources

Each topic area is covered in the following manner:

A. Environmental Issues
An overview of issues related to the topic area.

B. Environmental Setting
A discussion of existing conditions, facilities, services, applicable regulation and general environmental conditions on and around the Project sites.

C. Standards of Significance
Standards of environmental significance will also be listed which set forth the basis on which the identification of environmental impacts will be made. Standards of significance for this DEIR are based on such standards listed in the California Environmental Quality Act.

D. Environmental Impacts
An identification and evaluation of potential impacts on the environment, should the Project be constructed as proposed.

Environmental impacts addressed in this document include the following:

- Potentially significant impact, which means that the identified impact would exceed the environmental standards of significance.
- Beneficial impact, where implementation of the proposed Project would result in improved environmental conditions.
- Less-than-significant impact, which means an impact would not exceed the minimum environmental thresholds of significance.
- No impact, means that no environmental impact would be expected for a particular environmental topic.

E. Mitigation Measures and Impacts After Mitigation
An identification of specific efforts and measures which can be incorporated into the Project to eliminate or reduce identified environmental impacts to a level of insignificance.

4.1 GEOLOGY AND SOILS

ENVIRONMENTAL ISSUES

This section of the DEIR addresses soil conditions, existing topographic and geologic features, potential impacts related to site grading, and the potential for seismic-related hazards.

Information contained in this section is based on information contained in the General Plan Update EIR and other information presented to the City of Hayward.

ENVIRONMENTAL SETTING

Regional geologic and topographic conditions
Hayward is located on the eastern side of San Francisco Bay, a region of varied geographic composition and topographic elevations. Hayward has three distinct geologic zones: properties near the Bay in the western portion of the community (the baylands), the major urbanized portion of the community below the elevation of 500 feet above sea level (Bay plain) and the Hayward Hills, which are part of the Diablo Range and have elevations up to 1,500 feet in the eastern portion of Hayward.

The Project area is located in Bay plain portion of the community and exhibits a gradual natural slope down to the west, towards San Francisco Bay. Existing topographic elevations range from approximately 7 to 38 feet above mean sea level.

Geologically, as shown in Figure 9.2 of the General Plan DEIR, the area is underlain by Holocene alluvial fan deposits and, in the northern portion, by Holocene alluvial fan levee deposits. These soil units are characterized by weakly to moderately consolidated, moderately sorted sand forming alluvial plains and stream levees. They contain well sorted clay, silt and gravel that have historically eroded from the Hayward Hills to the east.

Local soils
Figure 9.3 contained in the General Plan DEIR identifies the eastern portion of the Project site as being underlain by the Danville-Botella soil type, which is characterized by nearly level to moderately sloping, well-drained loams and silty clay loams, on low terraces and alluvial fans. The Danville soil type is likely subject to a moderate to high shrink-swell potential, which is the tendency of the soil to expand when wet and shrink when dry.

The western portion of the Project area is shown to be underlain by Reyes-Urban soils, which are characterized by nearly level, very poorly drained clays on tidal flats. The remainder of the Project area is underlain by Clearlake-Omni soils, which are characterized by nearly level to moderately sloping, poorly drained clays and silty clay loams, with a high shrink-swell potential and low strength.

Seismic hazards, liquefaction and landslide potential
The Project is located within the seismically active San Francisco Bay Region. A number of

major earthquake faults in the region are capable of generating strong earthquakes (magnitudes of 6.0 + on the Richter scale). Major earthquake faults include the San Andreas (approximately 18 miles to the west), Hayward (approximately 1.5 –2 miles to the east) and Calaveras (approximately 12 miles to the east). A moderate to strong seismic event on the Hayward fault is expected to generate the strongest ground shaking in the Project and surrounding area. The East and West Chabot fault traces, located east of the Project area and east of the Hayward Fault, are currently defined as inactive and are believed to be of ancient local faulting.

Recent data gathered by the United States Geological Survey suggest a 27 percent probability of a 6.7-magnitude earthquake on the Hayward fault by the year 2032. A major earthquake with an 8.0 + magnitude on the Bay area segments of the San Andreas Fault is expected every 100 years.

The Project site is not located within an Earthquake Fault Zone as identified by the State of California Geological Survey. A potential seismic hazard within the Project area includes moderate to strong ground shaking. The degree of hazard depends on the location of the seismic epicenter, the magnitude and duration of ground shaking, the nature of topography, the type of building construction and groundwater conditions. The risk of ground rupture is considered low, since no active faults have been identified within or adjacent to the Project area.

Figure 9.5, Liquefaction Hazard Map, contained in the General Plan EIR identifies the Project site as lying within a "moderate" risk area for liquefaction. Also, the Project area is located in a liquefaction hazard zone as shown on the Hayward Quadrangle State Seismic Hazard Zone Map. Liquefaction is defined as the transformation of a granular material from a solid state into a liquefied state as a consequence of increased water pore pressure and decreased effective stress generally associated with strong ground shaking during an earthquake. Ground failures resulting from liquefaction can include sand boils, lateral spreads, ground settlement, ground cracking and ground warping.

Given the relatively level terrain of the Project site, the risk of landslide hazard is low.

Regulatory framework

The following General Plan policies and strategies from the Conservation and Environmental Protection Chapter deal with the minimizing seismic and geotechnical risk.

Seek to minimize risks from geologic and seismic hazards in the siting and design of development. (Policy 5)

> *Continue enforcement of the seismic safety provisions of the Alquist-Priolo Act and the Building Code to minimize earthquake-related hazards in new development, particularly as they relate to high occupancy structures or buildings taller than 50 feet in height. (Strategy 5.1)*

STANDARDS OF SIGNIFICANCE

The following standards of significance are used to assess potential environmental impacts related to geological, landform and topographic issues of the proposed Project:

- Exposure of people and/or property to the risk of harm from geological hazards and/or soil or seismic conditions. This would include surface rupture, strong seismic ground shaking and/or seismic-related ground failure, including liquefaction and landslides;
- Presence of an Earthquake Fault Zone (formerly Alquist-Priolo Seismic Study Zone), an active fault or an area characterized by surface rupture that could be related to fault activity;
- Development on a soil type that is unstable, or that would become unstable as a result of project implementation, and/or that could potentially result in on- or off-site landslides, subsidence, liquefaction or collapse;
- Exposure of new buildings or underground facilities to hazards of expansive soils;
- Significant increases over present levels of soil erosion and loss of topsoil.

ENVIRONMENTAL IMPACTS

Should the proposed Project be approved, the following geotechnical and soil-related environmental impacts are anticipated: seismic hazards due to ground shaking, liquefaction, shrink-swell potential, site grading and changes to existing topography. Potential soil erosion impacts are discussed in Section 4.3, Hydrology, Drainage and Water Quality.

Seismic ground shaking
Future movement along the Hayward Fault or other faults within the region would result in the exposure of people and structures to potentially significant adverse impacts, such as the risk of loss, injury or death caused by strong ground shaking. The impact of seismically induced ground shaking within the Project area would range in severity depending on the number and age of structures, the associated resident population and visitors to the Project area, the magnitude and type of seismic event and soils and geologic types of the area.

Impact 4.1-1 (seismic ground shaking). During a major earthquake along a segment of the Hayward Fault or one of the other nearby faults, moderate to strong ground shaking can be expected to occur within the Project area. Strong shaking during an earthquake could result in damage to buildings, roads, utility lines and other structures with associated risk to residents, employees and visitors in the area (*potentially significant impact and mitigation required*).

The following mitigation measure is recommended to reduce this impact to a less-than-significant level.

Mitigation Measure 4.1-1 (seismic ground shaking). Site specific geotechnical reports shall be required for each building or group of buildings (such as in a subdivision), roads and utility lines constructed in the Project area. Investigations shall be completed by a geotechnical engineer registered in California. Design and construction of structures shall be in accordance with the recommendations contained in the reports. Generally, such recommendations will address compaction of foundation soils, construction types of foundations and similar items. Implementation of these evaluations shall be required to ensure consistency with the California Building Code and all other applicable seismic safety requirements.

Seismic ground failure and liquefaction
Seismically-induced ground failures, which are secondary seismic effects related to soil, could occur near buildings and other facilities, such as roads, resulting in injury to people and damage to structures and other improvements.

In addition, structures, roads and other improvements could be damaged by the effects of liquefaction under seismic ground shaking.

Impact 4.1-2 (ground failure and liquefaction). Damage to structures and other improvements within the Project area could occur from seismically-induced ground failure and liquefaction, resulting in damage to improvements and harm to Project area residents and visitors (*potentially significant impact and mitigation required*).

The following mitigation measure is recommended to reduce this impact to a less-than-significant level.

Mitigation Measure 4.1-2 (ground failure and liquefaction). Site-specific geotechnical reports required as part of Mitigation Measure 4.1-1 shall also address the potential for ground failure and liquefaction and include specific design and construction recommendations to reduce liquefaction and other seismic ground failure hazards to less-than-significant levels.

Grading and topographic changes
It is anticipated that future development within the Project area following completion of the annexation process could include grading and recontouring of the portions of the Project site. Grading would be needed to create building pads, excavation for underground utilities and for enhancement of drainage. However, given the relative flatness of the site, the anticipated amount of future grading is anticipated to be minimal, although some additional fill material may be required to raise portions of the Dunn Road and Depot Road Industrial areas out of the 100-year flood hazard area. Future grading activities will be subject to the issuance of a grading permit by the City of Hayward prior to the commencement of grading activities on individual sites and review per the California Environmental Quality Act (CEQA) will be required for future development in the Project area.

Impact 4.1-3 (grading and topographic changes). Future development of the Project area would require grading and re-contouring of existing topographic elevations to create building pads, underground utilities and improve drainage and flood conditions. Given the flatness of the Project area, the amount of grading is anticipated to be minimal (*less-than-significant impact and no mitigation required*).

4.2 HAZARDOUS MATERIALS

ENVIRONMENTAL ISSUES

This section of the EIR addresses potential soil, groundwater and structural contamination. Information contained in this section is based on data taken from case file documents of the Hayward Fire Department.

ENVIRONMENTAL SETTING

Identified hazardous sites
A recent review of the listing of hazardous sites maintained by the State Department of Toxic Substances Control (DTSC) for Alameda County (the "Cortese List") revealed no such sites within the Project area as of April 22, 2004.

Soil and groundwater contamination
Based on information provided by the Hazardous Materials Bureau of the Hayward Fire Department, four open contamination cases are known within the Project area. Two of these cases are related to leaking underground storage tanks and two are from other sources.

Given the existing and historic land uses along Depot Road and Dunn Road, which include light industrial, vehicle storage and dismantling uses, there is a possibility of soil and/or groundwater contamination associated within these subareas. In addition, some properties within the Project area may be subject to contamination emanating from properties already within the City of Hayward.

Other sources of hazardous materials
Other sources of potential hazardous materials within the Project area include lead based paints that may have been used for existing dwellings and other structures within the Project area. Also, typical building material for many older structures included asbestos for heating and ventilation insulation. Asbestos is now known to be a hazardous material.

Regulatory framework
Storage, handling and documentation of hazardous materials and waste material are governed by federal, State and local regulations designed to protect human health and the environment. Agencies involved in the enforcement of these regulations include the U.S. Environmental Protection Agency (EPA), the State of California Department of Toxics Substances Control (DTSC), the California Regional Water Quality Control Board (RWCQB), the Bay Area Air Quality Management District (BAAQMD), the Alameda County Department of Environmental Health and the Hazardous Materials Bureau of the Hayward Fire Department.

Federal regulations are contained primarily in the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). State regulations pertaining to hazardous materials are generally equivalent to or more stringent that federal requirements and are regulated in the California Hazardous Waste

Control Act and the California Hazardous Substances Account Act.

The Conservation and Environmental Protection Element of the Hayward General Plan contains the following policies and strategies related to hazardous materials.

Work with other agencies to minimize risks associated with the use, storage and transport of hazardous materials. (Policy 9)

Continue implementation of the Hazardous Materials Program and enforcement of ordinance on use and storage of hazardous materials. (Strategy 1)

Maintain a suitable buffer zone between industrial firms involved with hazardous materials and residential areas. (Strategy 2)

Coordinate with state and federal agencies to provide appropriate labeling on vehicles transporting hazardous materials through the city and to encourage utilization of designated routes. (Strategy 3)

Continue collection programs for household toxic wastes and small business generators. (Strategy 4)

Provide educational materials concerning hazardous materials to the general public and enforcement agencies. (Strategy 5)

STANDARDS OF SIGNIFICANCE

The proposed project would be considered to result in a potentially significant impact if it would directly or indirectly:

- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident involving the release of hazardous material into the environment;
- Involve development on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment;
- Impair or physically interfere with an adopted emergency response or emergency evacuation plan.
-

ENVIRONMENTAL IMPACTS

Soil and groundwater contamination
Based on information available from the Hazardous Material Office of the Hayward Fire Department and San Francisco Bay Regional Water Quality Control Board, four soil and/or groundwater contamination cases are open within the Project area. Given the nature of older vehicle dismantling yards and other open storage and light manufacturing uses within the Dunn Road and Deport Road portions of the Project area, other cases of soil and/or groundwater contamination may exist as well. Contamination may exist within the Saklan Road area as well,

although no such documentation exists within the Regional Water Quality Control Board data base. Depending on the location and the severity of contamination, this would be a potentially significant impact.

Impact 4.2-1 (soil and/or groundwater contamination). Properties within the Project area may contain contaminated soil and/or be located above contaminated groundwater plumes. Construction of new residences and non-residential buildings may expose future residents, employees, visitors and construction personnel to soils and/or water-borne levels of contamination above acceptable regulatory levels, resulting in adverse health effects (*potentially significant impact and mitigation required).*

Adherence to the following measure will reduce the potential for significant impacts to Project area future residents, employees, visitors and construction personnel to a less-than-significant level:

Mitigation Measure 4.2-1 (soil and groundwater contamination). Prior to issuance of grading or building permits (if a grading permit is not required), project applicants shall submit a Phase I Environmental Site Analysis to the City of Hayward. If warranted by the Phase I report, a Phase II report shall be completed and all recommendations included in the Phase II report shall be included in the development Plan. If remediation is required, a hazardous materials work program shall be submitted to the appropriate regulatory agencies with a copy submitted to the Hayward Fire and Community and Economic Development Departments. Necessary permit(s) shall be obtained from the appropriate regulatory agencies. Remediation workers safety plans shall be included within each work plan.

Demolition and hazardous air emission impacts
Potential impacts of the Project could facilitate demolition of older structures to allow for new development, under the jurisdiction of the City of Hayward. Demolition of older structures could result in the release of asbestos containing materials, lead based paints and other hazardous materials during demolition of existing structures. This could potentially result in a health hazard to construction residents and visitors to the area.

Impact 4.2-2 (demolition and hazardous air emissions). Demolition of existing buildings, utility facilities and other older facilities could release hazardous and potentially hazardous material into the atmosphere including asbestos containing materials and lead-based paints, potentially resulting in health hazards to construction employees and local visitors and residents (*potentially significant impact and mitigation required).*

The following mitigation measure is recommended to reduce potential demolition activities and release of hazardous air-borne substances to a less-than-significant level.

Mitigation Measure 4.2-2 (demolition activities). Prior to commencement of demolition activities within the Project area, project developers shall contact the Alameda County Environmental Health Department, Bay Area Air Quality Management District, California Department of Toxic Substances Control and the Hazardous Materials Division of the Hayward Fire Department, for required site clearances, necessary permits

and facility closure with regard to demolition and removal of hazardous material from the site. All work shall be performed by licensed contractors in accord with State and Federal OSHA standards. Worker safety plans shall be included for all demolition plans.

<u>Mitigation Measure 4.2-3 (release of asbestos).</u> Prior to commencement of grading activities within the Project area, project developers shall conduct investigations by qualified hazardous material consultants to determine the presence or absence of asbestos containing material in the soil. If such material is identified that meets actionable levels from applicable regulatory agencies, remediation plans shall be prepared and implemented to remediate any hazards to acceptable levels, including methods for removal and disposal of hazardous material. Worker safety plans shall be prepared and necessary approvals and clearances shall be secured from appropriate regulatory agencies, including, but not limited to the Hayward Fire Department, California Department of Toxic Substances Control and the Bay Area Air Quality Management District.

4.3 HYDROLOGY, DRAINAGE AND WATER QUALITY

ENVIRONMENTAL ISSUES

This section of the EIR addresses potential impacts related to flooding, increased stormwater runoff and water quality.

ENVIRONMENTAL SETTING

Climate
The City of Hayward has a Mediterranean climate, characterized by warm summers and moderately cool winters. Average annual temperatures range from approximately 40 to 75 degrees Fahrenheit. Average annual rainfall is approximately 25 inches, generally falling between November and April.

Local and regional drainage
The Project area is located in the westerly portion of Hayward and contains a combination of developed lots and vacant areas. Stormwater runoff is presently accommodated via drainage in local streets where it is collected in the local City or County systems off of the Project area, and transported via a regional drainage system maintained by the Alameda County Flood Control and Water Conservation District (ACFCWCD) for ultimate discharge into San Francisco Bay (**see Figure 4.3.1**). The Project area is located within ACFCWCD's Drainage Zone 4.

Based on discussion with the Alameda County Flood Control and Water Conservation District (ACFCWCD) staff, local drainage within the north and central Hayward area, including the Project site, flows to regional Line A that parallels and runs south of West Street that transports stormwater to San Francisco Bay.

Groundwater resources
Given the location of the Project area, it is likely that the East Bay Plain Groundwater Basin extends under the Project area. Since there are a number of occupied residences within the Project area that do not have a water service agreement with the City or are served by Mohrland Mutual Water Association, a local private water company, there is likely a number of private wells that provide water for domestic and landscape irrigation purposes.

Flooding
Approximately one-third of the Dunn Road industrial portion of the Project area (to the southwest) and the westerly one-half (approximately) of the Depot Road industrial portion of the Project are within the 100-year flood hazard zone. The remaining portions of the Project area, including all of the Saklan Road area, lie outside of the 100- or 500-year flood hazard zones.

Regulatory framework
The Conservation and Environmental Protection Chapter of the City of Hayward's General

Plan contains the following applicable policies and strategies related to water quality.

Protect existing watercourses and enhance water quality in surface water and groundwater sources. (Policy 3)

Retain surface watercourses in their natural condition to the greatest extent possible. (Strategy 1)

Explore opening (daylighting) water channels in selected areas to increase visibility to the public, enhance the aesthetics of the creek environment, and provide for limited public access where appropriate. (Strategy 2)

Concentrate development in those areas least susceptible to erosion and minimize grading and the introduction of impervious surfaces; where appropriate consider using retention basins on site. (Strategy 3)

Maintain the continuity of creekside vegetation, with sufficient setbacks of development from creek slopes, with sensitive flood control designs, and with maintenance or reestablishment of native trees. (Strategy 4)

Protect riparian plant communities from direct encroachment of development and from adverse impacts of increased stormwater runoff, sedimentation or erosion that may occur from improper development in adjacent areas. (Strategy 5)

Discourage groundwater withdrawal in areas where activity could result in intrusion of salt water into freshwater aquifers. (Strategy 6)

Conduct an inventory of private wells to assure the health and safety of citizens and to protect groundwater supplies. (Strategy 7)

Take an active role in increasing the use of reclaimed water and educating the community about the benefits of such efforts. (Strategy 9)

Encourage the use of dual plumbing systems in new buildings to recycle grey water. (Strategy 10)

Water quality standards

Water quality in California is regulated by the U.S. Environmental Protection Agency's National Pollution Discharge Elimination System (NPDES), which controls the discharge of pollutants to water bodies from point and non-point sources. In the San Francisco Bay area, this program is administered by the San Francisco Bay Regional Water Quality Control Board (RWQCB). Federal regulations issued in November 1990 expanded the authority of the RWQCB to include permitting of stormwater discharges from municipal storm sewer systems, industrial processes, and construction sites that disturb areas larger than five acres. The City of Hayward is a co-permittee of the Alameda County Clean Water Program, which is a coordinated effort by local governments in Alameda County to improve water quality in San Francisco Bay.

In 1994, the RWQCB issued a set of recommendations for New and Redevelopment Controls for Storm Water Programs. These recommendations included policies that defined watershed protection goals, set forth minimum non-point source pollutant control requirements for site planning, construction and post-construction activities, and established criteria for ongoing reporting of water quality constriction activities. Watershed protection goals were based on policies identified in the San Francisco Bay Basin Water Quality Control Plan (Basin Plan), and the entire program relies on the implementation of Best Management Practices (BMPs) to limit pollutant contact with stormwater runoff at its source and to remove pollutants before they are discharged into receiving waters. The California Stormwater Quality Task Force has published a series of Best Management Practices handbooks for use in the design of source control; and treatment programs to achieve the water quality objectives identified by the Basin Plan for the beneficial uses of surface waters, groundwaters, wetland and marshes.

In February of 2003, the Regional Water Quality Control Board approved a new NPDES Municipal Stormwater Permit for Alameda County following the approach already implemented in Santa Clara County. As outlined in Section C.3 of the new NPDES permit, a number of additional requirements now apply for any new construction, which go beyond traditional best management practices and which will require more treatment of stormwater related to new developments or redevelopment, including providing on-site treatments, etc.

For inland surface waters around the Bay, beneficial uses are primarily limited to wildlife habitat, and the Basin Plan's related water quality objectives specify that the presence or concentration of listed constituents shall not cause a nuisance or adversely affect beneficial uses. A partial list of these constituents includes floating material, suspended material, settleable material, oil and grease, biostimulatory substances, sediment, pH, dissolved oxygen, bacteria, and toxic substances that are lethal to or that produce other detrimental responses in aquatic organisms.

Existing surface water quality is affected by a number of pollutants generated from existing industrial, commercial, residential and open space uses within the Project area and the remainder of the community, including but not limited to petrochemicals (oil and grease), yard and landscape chemicals (herbicides, pesticides and fertilizers), erosion from construction sites and similar sources.

STANDARDS OF SIGNIFICANCE

Based on CEQA Guidelines, development would have a significant impact with regard to hydrology and water quality of it would result in:

- A violation of any water quality standard;
- A violation of any wastewater discharge requirement;
- Substantial depletion of groundwater supplies or groundwater recharge area such that there would be a lowering of the local groundwater table;
- Substantial alteration of the existing drainage pattern in such a manner that would result in substantial erosion or siltation on or off-site, or in flooding on or off-site;
- Substantial increase in the rate or amount of surface water runoff in a manner that would result in flooding on or off the site and that could exceed downstream existing or

planned downstream drainage systems;
- Substantial degradation of surface or surface water quality;
- Placement of housing within a 100-year flood hazard area (as mapped by the Federal Emergency Management Agency or per similar flood delineation map);
- Placement of structures within a 100-year flood hazard area which would impede or redirect flood flows:
- Exposure of people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of dam or levy failure;
- Inundation by seiche, tsunami or mudflow.

ENVIRONMENTAL IMPACTS

Should the Project be approved and implemented, the following secondary environmental impacts are anticipated associated with any future development that would occur following annexation: soil erosion, potential degradation of water quality from non-point source pollution, potential increases in stormwater runoff from the Project area and potential impacts related to construction in a flood hazard zone.

Soil erosion
Future construction activities within the Project area would disturb soil surfaces to accommodate new structures and development. There would therefore be a potential for erosion of earthern material and construction debris from individual properties into nearby drainage facilities which ultimately flow into San Francisco Bay.

Impact 4.3-1 (soil erosion). During future construction that could be facilitated by annexation, short-term increases of soil erosion could result due to exposure to wind and water erosion as individual properties are graded and developed (*potentially significant impact and mitigation required*).

Adherence to the following mitigation measure will reduce soil erosion impacts to a less-than-significant level.

Mitigation Measure 4.3-1 (soil erosion). Individual development projects within the Project area that disturb 10,000 square feet or more of land area shall prepare erosion and sedimentation control plans for implementation throughout Project construction. The plan should be prepared in accordance with the most current City of Hayward and Regional Water Quality Control Board design standards.

Surface water quality
Following the completion of any construction, it is likely that the threat of onsite erosion would be substantially reduced, because virtually all disturbed areas would be stabilized underneath buildings, pavement, and landscaping. Construction sites, if properly protected during Project construction, should not experience significant soils losses.

As part of individual development and redevelopment applications, the City of Hayward requires individual development and redevelopment projects to adhere to performance standards outlined in Section C.3 of the new NPDES Permit, including best management

practices, to ensure that potential water quality impacts are minimized. In addition, for development or redevelopment projects that disturb more than 10,000 square feet of land, a Notice of Intent is required to be filed with the State of California Water Resources Control Board (SWRCB). A Stormwater Pollution Prevention Plan (SWPPP) is also required to be submitted to the SWRCB demonstrating use of specific best management practices during both construction and operational phases of such projects.

Impact 4.3-2 (non-point source pollution). The quality of stormwater runoff from the Project area could deteriorate due to development as it picks up increased road surface pollutants, pesticides from increased landscaping, and other urban pollutants that do not presently exist in such high concentrations (*potentially significant impact and mitigation required*).

Adherence to the following mitigation measure will reduce non-point source pollution impacts to a less-than-significant level.

Mitigation Measure 4.3-2 (non-point source pollution). Any new development or redevelopment projects in the Project area shall implement construction methods that comply with performance standards of Section C.3 of the new NPDES Permit. In addition, for development or redevelopment projects that disturb more than 10,000 square feet of land, a Notice of Intent is required to be filed with the State of California Water Resources Control Board (SWRCB). A Stormwater Pollution Prevention Plan (SWPPP) is also required to be submitted to the SWRCB demonstrating use of specific best management practices during both construction and operational phases of such projects.

Stormwater runoff and drainage patterns

Annexation of the Project area and any future construction that would be facilitated by the annexation would serve to increase the amount of impervious surfaces within the Project area, as existing undeveloped and minimally developed parcels are converted to urban uses, resulting in an increase of stormwater runoff from the Project area. New development would include additional buildings, roadways, driveways and similar hard surfaces that would preclude stormwater runoff from percolating into the underground aquifer. Increased quantities of stormwater would then drain from the Project area into surface drainage facilities near the Project area and ultimately flow into ACFCWCD facilities and into San Francisco Bay.

Based on a field inspection of the Project area, many of the existing residential lots along Saklan Road are minimally developed, with small residences fronting on adjacent streets and vacant rear yard areas. Properties along Depot Road and Dunn Road are used for industrial purposes, and a number of the lots include paved yard areas for truck parking or outdoor storage. It appears that in some instances, yard areas have been hard packed by historic truck and other outdoor uses that would serve as impervious surfaces.

Since no construction is proposed at this time, changes to existing drainage patterns are unknown. Future development activities, following annexation, will likely change the direction and velocity of stormwater runoff. Increased levels of stormwater runoff could impact downstream drainage facilities that may not be sufficiently large to accommodate such

increases.

As part of future development within the City of Hayward, the City will require that stormwater runoff be adequately accommodated on each individual project site, or be safely carried away from development sites in City-approved drainage facilities, which include underground pipes, open swales and channels. These facilities would likely be built by individual developers or funded through a benefit district, tax increment financing, and/or similar financing mechanism(s).

Based on previous hydrologic studies conducted for the Project area by the Alameda County Flood Control and Water Conservation District, local storm drain improvements have been designed to accommodate anticipated increases in stormwater flow based on new development. An identified constraint to stormwater flow is an undersized box culvert facility below Clawiter Road at West Street at the Line "A" ACFCWCD regional storm drain channel. Plans have been prepared to upsize this box culvert.

Impact 4.3-3 (stormwater runoff and drainage patterns). Future development within the Project area will increase the amount of stormwater runoff, since existing undeveloped or minimally developed properties would be converted to new structures, parking areas, roads and similar impervious surfaces. Existing drainage patterns will also be changed based on individual site grading operations, with resulting impacts to downstream drainage facilities (*potentially significant impact and mitigation is required*).

The following mitigation measure is recommended to reduce stormwater runoff and drainage pattern impacts to a less-than-significant level.

Mitigation Measure 4.3-3 (stormwater runoff and drainage patterns). All new major development applications (involving 10,000 square feet of land area) within the Project area shall be accompanied by a drainage and hydrology study, prepared by a California-registered civil engineer. Each report shall document existing drainage quantities and direction, estimated increases in stormwater runoff from the proposed Project, an identification of existing and proposed funding of downstream drainage facilities and the capacity of such systems to accept additional run-off and the proposed Project's contribution to increasing the capacity of such systems, if needed. New development projects will be required to provide on-site detention, retention facilities and/or other improvements required by such studies to ensure that no net increase in downstream rate of stormwater flows occurs. Reports shall be approved by the Hayward City Engineer and Alameda County Flood Control and Water Conservation District staff prior to issuance of a grading permit.

Flooding

A number of existing buildings and other improvements within the Dunn Road and Depot Road industrial areas currently lie within the 100-year flood hazard area. Should these properties be annexed to the City of Hayward, any new construction on these properties could be subject to future flood damage that would be a potentially significant impact. Such construction would not be permitted, unless in compliance with the City's building regulations for construction in a

flood hazard zone.

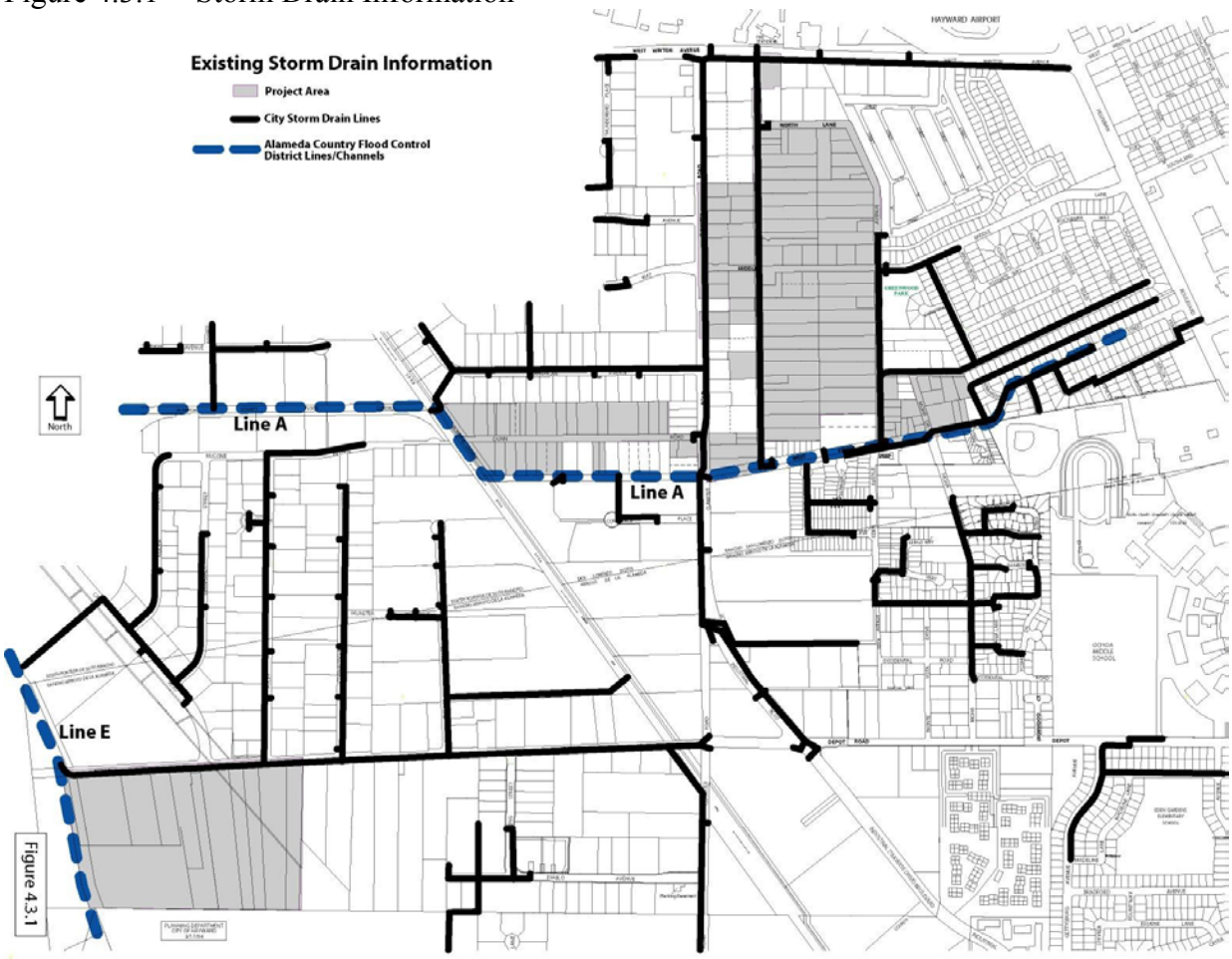
<u>Impact 4.3-4 (flooding).</u> Portions of the Project area lie within a 100-year flood hazard area and new construction within the area could be subject to flood damage during severe storms (*potentially significant impact and mitigation is required*).

The following measure is recommended to mitigate this impact to a less-than-significant level:

<u>Mitigation Measure 4.3-4 (flooding).</u> For future development within a 100-year flood hazard area, future Project applicants shall:

- **d) Submit a hydrology and hydraulic study prepared by a California-registered civil engineer proposing to remove the site from the 100-year flood hazard area through increasing the topographic elevation of the site or similar steps to minimize flood hazards. The study shall demonstrate that flood waters would not be increased on any surrounding sites.**
- **e) Comply with Article 4 of Chapter 9 (Flood Plain Management) of the Hayward Municipal Code, which establishes minimum health and safety standards for construction in a flood hazard area.**
- **f) Apply to the City for a Conditional Letter of Map Revision to remove the site from the FEMA Flood Insurance Rate Map 100-year flood hazard area.**

Figure 4.3.1 Storm Drain Information



4.4 NOISE

ENVIRONMENTAL ISSUES

This section addresses potential noise impacts of the Project, including short-term construction noise, long-term permanent noise as well as potential impacts from existing noise sources, such as truck noise associated with existing land uses.

ENVIRONMENTAL SETTING

Overview of noise concepts
Noise is defined as unwanted sound. Sound levels are measured and expressed in decibels (dB), with a dB of "0" corresponding approximately to the threshold of human hearing.

The method commonly used to quantify environmental noise involves measurement of all audible frequencies of sound, with an adjustment to reflect the fact that human hearing is less sensitive to low and high frequencies than to mid-range frequencies. This measurement is called "A" weighting, and a noise reading using this technique is called "A-weighted noise level" (dBA).

Environmental noise fluctuates in intensity over time. Therefore, time-averaged noise level computations are typically used to quantify noise levels and determine impacts. The two average noise level descriptors most commonly used to describe 24-hour daily average are LDN (day-night average noise levels) and CNEL (Community Noise Equivalent Level). The LDN measurement includes a 10 decibel penalty added to nighttime noise levels (10:00 p.m. to 7 a.m.) to account for the greater human sensitivity to noise during this period. The CNEL noise metric includes both a 5 dBA penalty for evening (7:00 p.m. to 10 p.m.) noise and a 10 dBA for night noise events.

Existing noise levels
The Noise Element of the General Plan and the General Plan Draft EIR identify vehicular traffic as the most significant noise source in the community. Interstate 880 and Mission Boulevard are cited as having the highest volumes of traffic and are therefore the noisiest roadway corridors. Other sources of noise in the community include operation of the Union Pacific Railroad, noise generated by BART operations, aircraft overflights from Hayward Airport and Oakland International Airport and stationary noise sources, primarily from industrial and commercial operations.

Existing major noise sources in and near the Project area include noise generated by vehicles using West Winton Avenue, Clawiter Road and other local streets as well as noise generated by industrial operations on individual properties. Union Pacific railroad tracks run in a generally north-south direction at the westerly terminus of the Dunn Road Industrial island portion of the Project area. General Plan DEIR Figure 7.3 indicates that Project properties fronting along the east side of Clawiter Road are currently subject to a 60 dBA (Ldn) noise level, which is within the “conditionally acceptable” exterior noise standard for low density residential use.

Existing railroad operations occur on tracks lying at the terminus of the Dunn Road portion of the Project area, however, this area has been developed for industrial uses.

Future noise levels are anticipated to be substantially the same as present noise levels. Figure 7.4 contained in the General Plan DEIR indicates that properties fronting on the east side of Clawiter Road are still anticipated to be subject to a future potentially significant noise level of 60 dBA (Ldn). Industrial properties within the Depot Road portion of the Project area are also anticipated to be subject to higher noise levels based on the future extension of Cabot Boulevard southerly to connect with State Route 92. Future exterior noise levels in this area are anticipated to be up to 69 dBA (Ldn), which would fall within the "normally acceptable" noise exposure level adopted by the City of Hayward Appendix N of the General Plan (reference Table 2, below).

Aircraft noise
Based on Figure 7.3 in the General Plan EIR, the Project area is not impacted by significant noise levels from Oakland International Airport or Hayward Executive Airport. The Hayward Executive Airport Master Plan indicates portions of the Project site are subject to "touch-and-go" (practice landing) operations at Hayward Executive Airport. This air traffic pattern for the 650 altitude level cuts across the approximate center of the Saklan subarea of the Project area with potentially significant noise levels.

Vibration
Existing sources of vibration within the Project area include areas near the Union Pacific Railroad tracks west of the Dunn Road island, and along bus and truck routes.

Regulatory Framework
The Conservation and Environmental Protection Chapter of the General Plan contains the following policy and strategies regarding noise:

> *The City will seek to protect the public health, safety and welfare against the adverse effects of excessive noise. (Policy 13)*
>
> *Provide educational material and assistance to the community regarding noise mitigation, and promote the full disclosure of potential noise impacts within new infill development. (Strategy 1)*
>
> *Continue to review new development to assure compatibility with surrounding land uses and compliance with accepted noise standards. (Strategy 2)*
>
> *Encourage mitigation of noise through appropriate site planning, building orientation, and building materials. (Strategy 3)*
>
> *Cooperate with adjacent jurisdictions and other agencies involved in noise mitigation and work with transportation companies and/or agencies to mitigate noise impacts. (Strategy 4)*
>
> *Continue to consider potential noise impacts in evaluating proposals for new*

transportation facilities, including streets and highways. (Strategy 5)

Encourage the California Department of Transportation to construct attractive noise barriers along State highways adjacent to noise-sensitive uses.(Strategy 6)

Investigate methods for decreasing local street noise, such as modification of paving materials, removal of surface irregularities, and synchronization of signals to facilitate smooth traffic flow. (Strategy 7)

Continue to monitor the effectiveness of noise control programs at the Hayward Executive Airport. (Strategy 8)

Appendix N of the General Plan contains the following noise/land use compatibility standards:

Table 2. Noise and Land Use Compatibility Standards

Land Use	Community Noise Level Ldn or CNEL (dB)			
	Normally Acceptable	**Conditionally Acceptable**	**Normally Unacceptable**	**Clearly Unacceptable**
Residential: low density, single family homes, duplex, mobile homes	Under 60	55-70	70-75	75+
Residential: multiple family	Under 65	60-70	70-75	75+
Transient lodging	Under 65	60-70	70-80	80+
Schools, libraries, churches, hospitals	Under 70	60-70	70-80	80+
Auditoria, concert halls	--	Under 70	--	65+
Sports arenas, outdoor sports	--	Under 75	--	70+
Playgrounds and neighborhood parks	Under 70	--	67.5-75	72.5+
Golf courses, riding stables, water recreation, cemeteries	Under 75	--	70-80	80+
Office buildings, businesses, commercial and professional	Under 70	67.5-77.5	75+	--
Industrial. Manufacturing, utilities	Under 75	70-80	75+	--

The interior residential noise exposure level is 45 dBA, established by the state building code.

Section 4-1.03 of the Hayward Municipal Code governs persistent noise and construction noise. Under this section, repeated or persistent loud noise is considered unlawful. Construction activities generating noise are limited to the hours of 7 a.m. to 7 p.m., Monday through Saturday. Construction hours on Sundays are limited to 10 a.m. to 6 p.m.

STANDARDS OF SIGNIFICANCE

A noise impact would be considered significant if it would result in:

- exposure of persons or generation of noise in excess of standards established in the General Plan or noise ordinance (if one exists), or applicable standards of other agencies;
- exposure of persons to or generation of excessive groundborne noise levels;
- exposure of persons to or generation of excessive groundborne vibration levels;
- a substantial temporary permanent increase in ambient noise levels in the project vicinity above ambient levels (considered an increase of 3 dB over existing levels);
- development located in an area covered by an airport land use plan, or, where such plan has not been adopted, within two miles of a public airport or public use airport, if it would result in exposure of people residing or working in the area to excessive noise levels;
- development within the vicinity of a private airstrip, if it would result in exposure of people residing or working in the area to excessive noise levels.

ENVIRONMENTAL IMPACTS

Temporary construction noise
Should the annexation to the City of Hayward be approved and future development be facilitated within the Project area, short-term, temporary increases in noise during construction phases of implementation could be expected. Such noises would be related to construction of new dwelling units, improvement of existing substandard roadways and installation of infrastructure facilities. Typical noise generated by construction activities include earthmoving, truck traffic, back-up bells, air compressors, hammering and other mechanical equipment normally used during demolition and construction. Short-term construction noise impacts could be significant depending on the number, size and timing of construction projects. Construction noise impacts would be most significant on existing residents within and adjacent to the Saklan Road portion of the Project area. Future construction activities in the Dunn Road and Depot Road industrial areas would likely not be significant due to existing and anticipated on-going industrial operations in these areas and the lack of sensitive noise receptors (i.e. residential dwellings) within and adjacent to these sub-areas.

Impact 4.4-1 (construction noise impacts). Future residents within and adjacent to Project area could be subject to short-term but potentially significant noise due to the construction of new buildings, roadway improvements and associated infrastructure improvements within the Project area (*potentially significant and mitigation required*).

Adherence to Section 4-1.03 of the Hayward Municipal Code will ensure that short-term construction noises would be less-than-significant.

Permanent noise impacts
The General Plan DEIR does note that portions of the Project area adjacent to Clawiter Road are currently subject to potentially significant exterior noise levels from existing traffic levels and the level of future noise is not expected to significantly change. Since the existing and anticipated noise level is estimated to be 60 dBA (Ldn), construction of future residential dwellings in this portion of the Project area could result in a potentially significant impact. The future noise exposure level shown in the General Plan DEIR is an estimate, based on extrapolations of a number of noise measurements taken throughout the City. The actual noise

impact could be more significant than identified in the General Plan DEIR.

Approval of the annexation would not, by itself, increase permanent noise impacts within or adjacent to the Project area. However, construction additional residential dwellings and non-residential floor spaces under the auspices of the City of Hayward could result in potentially significant levels of permanent noise based on an increase in the amount of local vehicular traffic, increased industrial uses, including truck operations, and similar noise sources.

Impact 4.4-2 (permanent noise impacts). Future construction of residences along the east side of Clawiter Road within the Project area could be subject to exterior noise levels within the "conditionally acceptable" noise level identified in the General Plan Noise Element (*potentially significant and mitigation required*).

Mitigation Measure 4.4-2 (permanent noise impacts). Site-specific acoustic reports shall be prepared by a qualified acoustic consultant for future residential construction located along the east side of Clawiter Road. Each report shall include an analysis of potential noise exposure from residential development and include specific measures to reduce exposure levels to City of Hayward noise standards.

Aircraft noise
A portion of the Saklan Road subarea is subject to overflights from aircraft performing "touch-and-go" operations at Hayward Executive Airport. Existing and future residents along Saklan Road would be subject to potentially significant noise levels from such operations.

Impact 4.4-3 (aircraft noise impacts). Future residents along Saklan Road would be subject to potentially significant noise levels from touch-and-go aircraft operations at Hayward Executive Airport (*potentially significant and mitigation required*).

The following measure is recommended to mitigate this impact to a less-than-significant level. Avigation easements include a right to prohibit the construction of tall structures or similar object on subject properties that would enter into protected airspace and result in an aircraft safety hazard, an acknowledgement that that property is subject to noise from aircraft operations and the protection of aircraft right-of-way over the subject property at a surface specified by the Federal Aviation Administration (FAA).

Mitigation Measure 4.4-3 (aircraft noise impacts). All future residential development within the Project area shall enter into an avigation easement with the City of Hayward indicating an acknowledgment of existing and future aircraft operations. The avigation easement shall be recorded with the County Recorder prior to issuance of a Certificate of Occupancy.

Vibration
The General Plan EIR notes that construction of new or rehabilitated development could be subject to potentially significant levels of vibration from railroad operations and truck and bus routes, especially in areas underlain by bay mud or weak soil types. Properties at the westerly terminus of Dunn Road, adjacent to the railroad tracks, as well as other properties in the Depot Road and Dunn Road subareas, could be subject to vibration caused by truck traffic. Vibration

would be a potentially significant impact.

Impact 4.4-4 (vibration impacts). Future construction within the Dunn Road and Depot Road subareas could be subject to potentially significant vibration levels from railroad operations and truck activities (*potentially significant and mitigation required*).

The following measure is recommended to mitigate this impact to a less-than-significant level.

Mitigation Measure 4.4-4 (vibration impacts). Future development within the Dunn Road and Depot Road subareas where vibration impacts are suspected to be a problem shall be reviewed for potential vibration impacts at the time such development is submitted for City of Hayward review. If warranted, building foundations and other improvements shall be designed to reduce vibration levels to a less-than-significant level, including excavation and compaction of site soils, special foundation designs and structural design.

4.5 TRANSPORTATION AND CIRCULATION

ENVIRONMENTAL ISSUES

This section addresses impacts related to site circulation, access and transportation. Information contained in this section is based on analysis and input provided by the City of Hayward Public Works Department, Engineering and Transportation Section, and by the City's traffic consultant for this Project, Kimley-Horn and Associates, Inc.

ENVIRONMENTAL SETTING

Existing roadway network

West A Street is a two-lane east-west collector west of Hesperian Boulevard that provides access to the Hayward Executive Airport. East of Hesperian Boulevard, West A Street is four lanes and connects with I-880. Future plans call for the extension of West A Street to Corsair Boulevard as part of the I-880/Route 92 Reliever Route project. When completed, the West A Street extension will relieve the heavily congested Hesperian-Winton intersection as noted below.

Hesperian Boulevard is a north-south, six-lane arterial that runs between Bayfair Shopping Center in San Leandro and Union City, where it becomes Union City Boulevard. It includes primarily commercial uses and provides access to the Hayward Executive Airport, Chabot College, and Highway 92. Hesperian Boulevard is an important north-south route, one of only three in the City (I-880 and Mission Boulevard are the others). As a result, it carries a great deal of commute traffic, especially traffic that wishes to avoid the very congested I-880/Route 92 intersection.

West Winton Avenue is an east-west four-lane arterial that runs from Downtown Hayward (where it turns into D Street) and the City's industrial area. It includes mostly commercial uses and provides access to several industrial and business parks, as well as access to Southland Mall. Additionally, West Winton Avenue is a major connecting route to I-880. As a result of commute traffic using West Winton Avenue and Hesperian Boulevard to avoid the I-880/Route 92 interchange, the intersection of Hesperian Boulevard and West Winton Avenue is one of the most congested in the City, particularly during the peak hours.

Clawiter Road is a north-south four-lane arterial that runs from West Winton Avenue to Depot Road. South of Depot Road to Route 92, Clawiter is two lanes and is classified as a collector. It includes mostly industrial uses and office parks. Part of Clawiter Road runs through unincorporated Alameda County. A federally funded project was recently completed which installed three new traffic signals and interconnected these signals. Sidewalks along Clawiter Road were installed in some locations.

Depot Road is an east-west collector street between Cabot Boulevard and Clawiter Road. It varies from five lanes at Hesperian Boulevard to two lanes just west of the UPRR tracks. Consequently, it connects Hesperian Boulevard with the industrial area and also several business parks. Some residential uses are also present.

Industrial Boulevard is a four-lane north-south arterial that runs from Clawiter Road to I-880, where it turns into Industrial Parkway. It is an important access point to both Route 92 and I-880. Industrial Boulevard serves a mix of uses, including residential, commercial and industrial, as well as Life Chiropractic College and Heald College.

Cabot Boulevard is a four-lane arterial between West Winton Avenue to just north of Kidder Street. From north of Kidder Street to Depot Road, it is a four-lane collector.

Whitesell Street is a two-lane collector between Depot Road and Breakwater Avenue. Future Plans call for the extension of Whitesell Street to Cabot Boulevard and for construction of a new Whitesell Street interchange with Route 92.

West Street is a two-lane collector street between Clawiter Road and Hesperian Boulevard. It is mainly residential.

Saklan Road is a two-lane north-south sub-collector street that serves the Saklan unincorporated island. It is mainly residential.

Middle Lane is a four lane collector between Eden Avenue and Hesperian Boulevard, and a two-lane collector west of Eden Avenue to Clawiter Road. It is mainly residential.

Regional access to the Project area is provided by I-880, a major north-south freeway that provides primary access on the east side of San Francisco Bay, linking cities from San Jose to the south to Sacramento to the northeast.

Existing intersection operations

Operating conditions experienced by drivers are described in terms of Level of Service (LOS), which is a qualitative measure of factors such as delay, speed, travel time, freedom to maneuver, and driving comfort and convenience. Levels of service are represented by a letter scale from LOS A to LOS F, with LOS A representing the best performance and LOS F representing the poorest performance. LOS D or better was used as the criteria for satisfactory operation at intersections within the study area; however, poorer levels of service may be permitted in locations due to costs of mitigations or other unacceptable impacts.

Table 3 relates the operational characteristics associated with each level of service category for both signalized and unsignalized intersections. Table 3 delay thresholds are based on the 1994 Highway Capacity Manual methodology as per the City of Hayward's Requirements for Traffic Studies.

Table 3. Intersection Level of Service Definitions

Level of Service	Description	Signalized (Avg. control delay per vehicle sec/veh)	Unsignalized (Avg. control delay per vehicle sec/veh.)
A	Free flow with no delays. Users are virtually unaffected by others in the traffic stream	≤5	≤5
B	Stable traffic. Traffic flows smoothly with few delays.	>5 – ≤15	>5 – ≤10
C	Stable flow but the operation of individual users becomes affected by other vehicles. Modest delays.	>15 – ≤25	>10 – ≤20
D	Approaching unstable flow. Operation of individual users becomes significantly affected by other vehicles. Delays may be more than one cycle during peak hours.	>25 – ≤40	>20 – ≤30
E	Unstable flow with operating conditions at or near the capacity level. Long delays and vehicle queuing.	>40 – ≤60	>30 – ≤45
F	Forced or breakdown flow that causes reduced capacity. Stop and go traffic conditions. Excessive long delays and vehicle queuing.	>60	>45

Source: Transportation Research Board, Highway Capacity Manual, National Research Council, 1994.

Traffic analysis was completed using Traffix software to determine intersection level of service at study intersections, per the City of Hayward's Requirement for Traffic Studies. Traffix is based on the methodology of the Highway Capacity Manual.

Table 4 shows existing operating characteristics near the Project site. These study area intersections are mapped on **Figure 4.5.1**. Existing lane geometrics and lane configurations for roads near the Project site are depicted on **Figure 4.5.2. Figure 4.5.3** shows existing peak hour turning movement volumes for study area intersections.

Table 4. Existing Intersection Level of Service Summary

Intersection		AM Peak	PM Peak
Signalized Intersections			
1	Saklan Road & W Winton Avenue	A	B
2	Clawiter Road & W Winton Avenue	C	C
3	Alpine Way/Middle Lane & Clawiter Road	C	B
4	Hesperian Boulevard & West Street	A	B
5	Hesperian Boulevard & Middle Lane	C	C
6	Hesperian Boulevard & W Winton Avenue	E	F
8	Clawiter Road & Depot Road	C	C
10	Depot Road & Industrial Boulevard	C	C
11	Depot Road & Hesperian Boulevard	C	B
Two-Way Stop Controlled Intersections			
7	Clawiter Road & Dunn Road		
	Eastbound Approach	E	D
9	Cabot Road & Depot Road		
	Southbound Approach	A	C

Source: Kimley-Horn Associates, 2004

As identified in the preceding table, existing study area intersections operate at Level of Service (LOS) D or better under existing conditions, with the exception of the intersections of Hesperian Boulevard/W. Winton Avenue and Clawiter Road/Dunn Road. The intersection of Hesperian Boulevard/W. Winton Avenue operates at LOS E in the AM peak hour and LOS F during the PM peak hour. In addition, the Clawiter Road/Dunn Road intersection operates at LOS E during the AM peak hour. The eastbound approach at the intersection of Clawiter Road and Dunn Road is a relatively low volume approach, nevertheless left turns out of the site on Dunn Road may be unable to find sufficient gaps in the Clawiter Road traffic flow and thus experience significant delay.

Existing public transit network
AC Transit operates several routes in the proposed annexation area:

Route 83, funded from a Low Income Flexible Transit (LIFT) grant, operates with 30 minute headways in the peak hours, 60 minute headways in the off-peak hours, between the Hayward and South Hayward BART stations along Winton Avenue, Clawiter Road, Eden Landing Road, Investment Boulevard, Corporate Boulevard, Arden Road and Industrial Boulevard.

Route 86, also funded from a LIFT grant, operates with 30 minute headways between the Hayward and South Hayward BART stations along West Winton Avenue, Cabot Boulevard, Depot Road, Industrial Boulevard and West Tennyson Road. Both Route 83 and Route 86 provide transit service to the welfare-to-work population.

Route 92 runs along Hesperian Boulevard between Kaiser Hospital and Hayward BART at 15-minute intervals in the peak hour.

Route 97 runs along Hesperian Boulevard with 20-minute headways between Union City and Bayfair BART stations. It is categorized as a trunk route.

Line M runs from the Hayward BART station to the Hillsdale Mall in San Mateo County along Hesperian Boulevard and Route 92. The line operates with 30-60 minute headways.

Bicycle and pedestrian circulation
There are sidewalks throughout the majority of the study area; however there are intermittent locations where sidewalk is missing. Along the property frontages within the Project area there are also intermittent locations where sidewalk is missing, for example along Saklan Road. There are existing Class III bikeway facilities throughout portions of the study area, including on West Winton Avenue (west of Clawiter Road), Cabot Boulevard, Clawiter Road, Middle Lane and Depot Road (Cabot Blvd. to Hesperian Blvd.).

Emergency access
Fire Station No. 6, located on West Winton Avenue just west of Clawiter Road, is the closest fire station to the study area. Primary emergency response routes exist along West Winton Avenue, Clawiter Road, Industrial Boulevard, Hesperian Boulevard and Route 92.

Parking
For the most part, on-street parking is restricted in the industrial areas. Trucks make up a significant component of traffic in the industrial area. Allowing them to park on the street would bring up visibility concerns and could also narrow the street, which would affect truck circulation.

In the residential areas, on-street parking is usually permitted, though there are some restrictions, normally related to visibility or safety issues.

Regulatory framework
The Circulation Chapter of the General Plan contains the following circulation policies relevant to the proposed Project:

Minimize adverse impacts of regional traffic on existing neighborhoods. (Goal 3)

Create improved and safer circulation facilities for pedestrians. (Goal 8)

Provide the opportunity for safe, convenient and pleasant bicycle travel throughout all areas of Hayward. (Goal 9)

Enhance the capability of the arterial street network to reduce congestion and improve traffic flow (Goal 11)

Provide for future parking demand in ways that optimize mode choice. (Goal 13)

Seek to address traffic operations and safety concerns. (Goal 14)

Applicable policies from the Mt. Eden Neighborhood Plan (1990) include:

Channel through traffic onto arterials; improve Depot Road and Middle Lane as major collectors within Mt. Eden; discourage through traffic on other residential streets within Mt. Eden (Policy F)

Establish new arterial connections in the Industrial Corridor including the Cabot Boulevard extension, West "A" Street extension. (Strategy 1)
Fully improve Depot Road and Middle Lane as major collector streets. (Strategy 2)
Discourage through traffic within the neighborhood other than Depot Road and Middle Lane with traffic control measures as necessary in the future. (Strategy 3)
Promote safety and facilitate pedestrian crossing. (Strategy 6)

Increase the availability and attractiveness of alternative transportation (Policy G)

Complete missing sidewalks on through streets, both in the City and the County. (Strategy 4)
Provide bike lanes on Depot Road, continue bike/jogging trails through the Industrial Corridor to the Baylands. (Strategy 5)

STANDARDS OF SIGNIFICANCE

As defined by the City's General Plan Circulation Element, the minimum acceptable threshold for signalized intersection traffic operations is level of service (LOS) D; however, LOS E may be acceptable at locations where the high fiscal and social costs of implementing improvements to achieve LOS D may be prohibitive. Also, the City utilizes a significance threshold of five seconds of added delay for peak hour at intersections operating at LOS F.

ENVIRONMENTAL IMPACTS

Project trip generation
Trip generation for development projects is based on rates contained the Institute of Transportation Engineer's publication Trip Generation, 7th Edition. This manual is a standard reference used by jurisdictions throughout the country and is based on actual trip generation studies at numerous locations in areas of various populations.

Trip generation rates for the employment increase were based on ITE Land Use Code 110, General Light Industrial, with employees as the independent variable. Rates for the residential development were based on ITE Land Use Codes 210 and 230 to estimate the growth due to development of single family and multi family uses, respectively. Each of these land uses was reviewed and approved by the City of Hayward staff for use in this study as reflective of the proposed Project.

Often with a new development a certain amount of trips to the site are vehicle trips that are already on the road and will choose to stop as they pass by the site. These vehicle trips are not new vehicle trips but are considered to be pass-by trips. Due to the nature of the general light industrial, single-family, and multi-family land uses, no pass-by trips are expected and therefore no pass-by trip reduction was applied to the Project trip generation. The proposed Project is estimated to generate a daily total of 4,422 trips, with 393 trips being in the A.M. Peak Hour and 468 trips in the P.M Peak Hour. The traffic report, available at Hayward City Hall in the Engineering/Transportation Division of the Public Works Department, contains trip generation calculations.

Project trip distribution and assignment
A Project distribution was developed based on existing traffic patterns and the distribution assumed in previous traffic impact studies. **Figure 4.5.4** shows trip generation related to the Saklan Road area, **Figure 4.5.5** shows trip distribution for future development anticipated in the Dunn Road Island area and **Figure 4.5.6** shows trip generation for future traffic associated with the Depot Road Island area. Each of these trip distribution assumptions was reviewed and approved by the City of Hayward staff for use in this study as reflective of the proposed Project.

Lane configurations and traffic control assumptions
For purposes of the Kimley-Horne analysis, no changes to the roadway geometry and traffic control systems have been assumed to occur from the existing condition to when the proposed development is anticipated to occur.

Project traffic impacts
Level of service at the Project area intersections have been calculated with the addition of the anticipated new residential and employee trips to existing traffic volumes. The results show that all intersections would operate at LOS D or better with the exception of the intersections of Hesperian Boulevard/W. Winton Avenue and Clawiter Road/Dunn Road, which currently (pre-Project) operate below this threshold. Existing plus project generated traffic volumes on local roadways is shown on Figure **4.5.7.**

Results of the analysis are presented in Table 5. Additional details on the impact assessment is provided in the Appendix of the Kimley-Horne traffic analysis, which is available at Hayward City Hall.

Table 5. Existing and Project Level of Service (LOS)

Intersection		Existing		Existing + Project	
Signalized Intersections		**AM Peak**	**PM Peak**	**AM Peak**	**PM Peak**
1	Saklan Road & W Winton Avenue	A	B	A	B
2	Clawiter Road & W Winton Avenue	C	C	C	C
3	Alpine Way/Middle Lane & Clawiter Road	C	B	C	B
4	Hesperian Boulevard & West Street	A	B	B	B
5	Hesperian Boulevard & Middle Lane	C	C	C	C
6	Hesperian Boulevard & W Winton Avenue	E	F	E	F
8	Clawiter Road & Depot Road	C	C	C	C
10	Depot Road & Industrial Boulevard	C	C	C	C
11	Depot Road & Hesperian Boulevard	C	B	C	B
Two-Way Stop Controlled Intersections					
7	Clawiter Road & Dunn Road				
	Eastbound Approach	E	D	E	E
9	Cabot Road & Depot Road				
	Southbound Approach	A	C	B	C

Source: Kimley-Horn Associates, 2004

Based on the City of Hayward's Requirements for Traffic Studies, two intersections near the Project would increase average vehicle delay by five or more seconds when the existing level of service in unacceptable (E or F), and thus represent a potentially significant impact. These include:

- The intersection of Hesperian Boulevard/W. Winton Avenue, which experiences an increase in delay during the PM peak hour by a minimum of 5.8 seconds. The City's General Plan (2001) noted this intersection operates at a LOS E during the PM peak hour. The future analysis included in the General Plan resulted in an improved LOS C, taking into account planned improvements in the area, namely the Industrial Assessment District (IAD), which includes the Clawiter Road/Whitesell Street interchange, the Whitesell Street extension to Cabot Boulevard and the West A Street extension to Corsair Boulevard. The City has, therefore, recognized the operating condition at the intersection and has a planned project to address the congestion at this intersection.

- The intersection of Clawiter Road/Dunn Road, which experiences an increase in delay of at least 7.2 seconds during the PM peak hour. This intersection operates at a LOS D in the existing condition and does worsen to LOS E with the project; however, this situation is not unlike that with other unsignalized intersections in the city where traffic signal warrants are not met. There will be delays on the minor street that are unavoidable. Since the traffic signal warrants are not met, even with the project, this impact is not considered to be significant.

Although project conditions will result in a worsened LOS F at Hesperian Boulevard and West Winton Avenue, the planned Industrial Assessment District improvements will address the congestion at this location. Specifically construction of the West A Street extension is projected to improve the level of service at this intersection to LOS C. There are no other intersections where implementation of the project will result in a LOS that has a significant impact to any of the study intersections.

Impact 4.5-1 (Project traffic impacts). Future traffic related to the annexation of the Project area and future development would result in increased vehicle delays by at least 5.8 seconds during the PM peak hour at the intersection of Hesperian Boulevard/W. Winton Avenue and the intersection of Clawiter and an increase of at least 7.2 seconds during the PM peak hour at the Hesperian/West Winton Avenue. Planned roadway improvements in and adjacent to the Project area will provide additional roadway capacity in the future to accommodate Project-related traffic (*less-than-significant impact and no mitigation required).*

Cumulative traffic impacts
The General Plan EIR notes that regional traffic growth and roadway congestion would be significant and unavoidable impact (Impact 6.1) on city thoroughfares. Anticipated deterioration in levels of service at certain intersections (Levels of Service E or F) is based on population and employment growth in the City of Hayward as well as regional growth in the Bay area. Regional through traffic is anticipated to account of 25 to 30 percent of peak hour traffic on major arterials, so that the City's ability to fully mitigate through traffic is limited.

A Statement of Overriding Considerations was approved by the Hayward City Council for regional traffic and roadway congestion when the General Plan was adopted in 2001. Since no changes to land use or land use densities are proposed as part of the Project, cumulative traffic impacts and congestion have been addressed in the General Plan EIR and no additional analysis is required. However, a statement of overriding considerations will be required for this project related to cumulative traffic impacts.

Impact 4.5-2 (cumulative traffic impacts). Anticipated development within the Project area will be consistent with land use density and intensity as set forth in the General Plan. (*This impact is considered significant and unavoidable; therefore, a statement of overriding considerations will be required).*

Public transit impacts
Annexation of the Project site to the City of Hayward and future development within the City

would promote growth in the area consistent with the Hayward General Plan. With additional residential and non-residential development in the Project area, increased ridership on AC Transit busses and other public transportation systems would likely occur.

Impact 4.5-3(public transit impacts) Annexation of the area and future development of the Project area under the auspices of the Hayward General Plan would increase AC Transit ridership and ridership of other public transit providers (*less-than-significant impact and no mitigation required).*

Bicycle and pedestrian circulation
Approval and of the proposed annexation and future development within the Project area under the auspices of the City of Hayward would provide for construction of missing street and sidewalk improvements along Project streets, allowing for improved pedestrian and bicycle circulation.

Impact 4.5-4 (bicycle and pedestrian impacts). Missing street and sidewalk improvements in the Project area would be facilitated in the City of Hayward, as new development occurs (*less-than-significant impact and no mitigation required).*

Parking impacts
Future development within the Project area would be required to comply with the City of Hayward's off-street parking standards. No parking impacts are therefore anticipated.

Figure 4.5.1 Project Location and Study Intersections

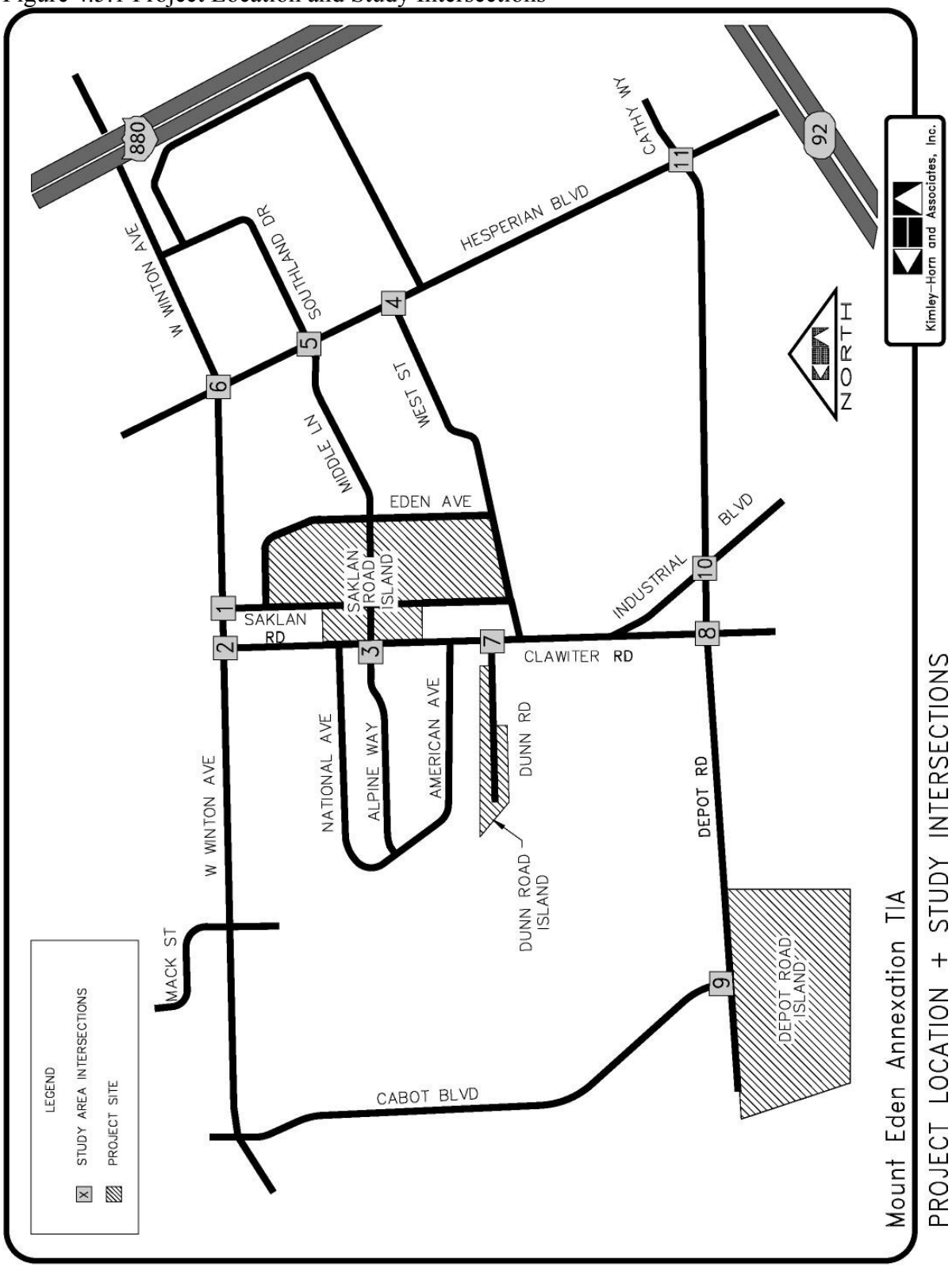


Figure 4.5.1

Figure 4.5.2 Existing Lane Geometry and Traffic Control

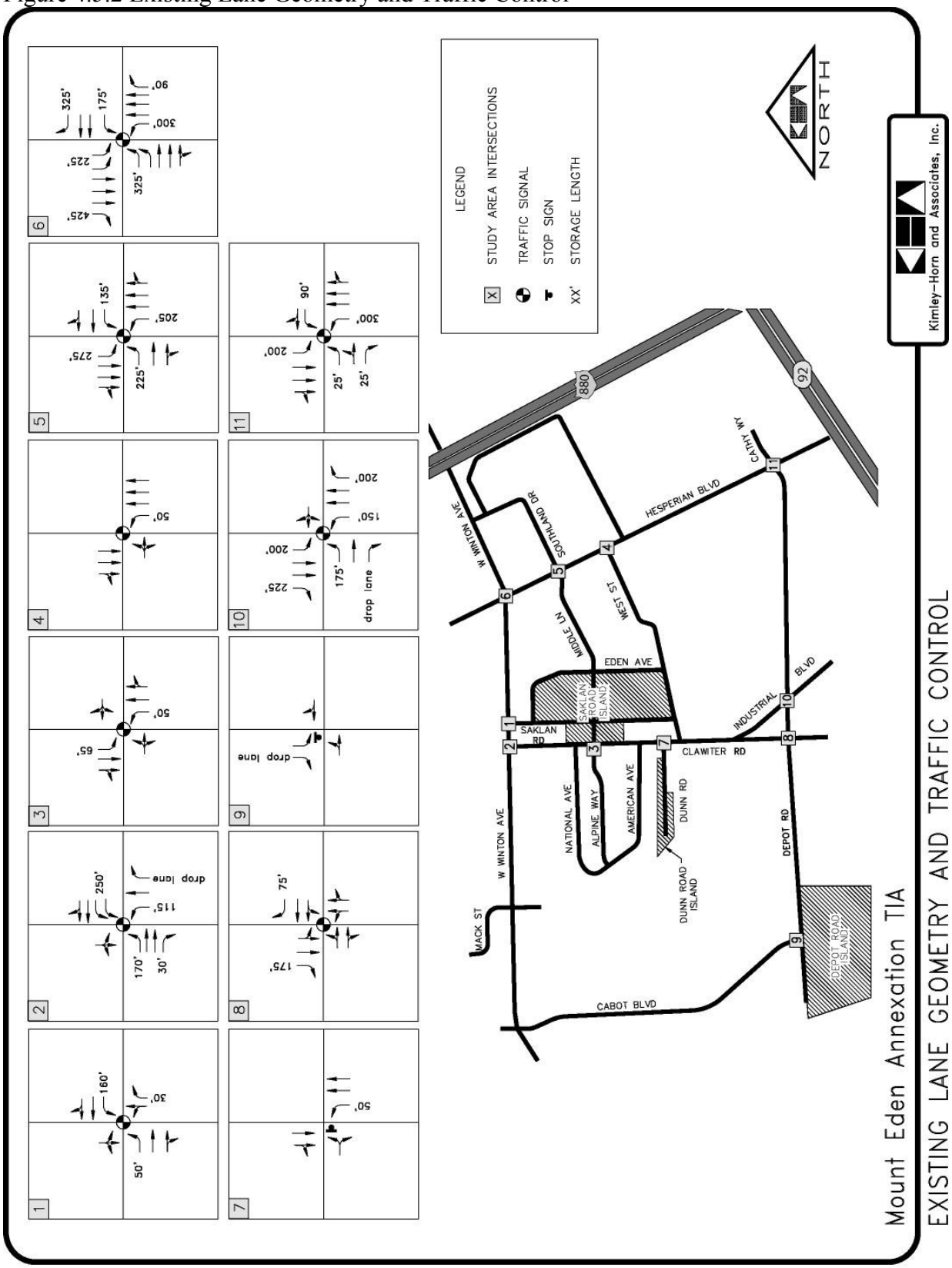


Figure 4.5.2

Figure 4.5.3 Existing Peak Hour Turning Movement Volumes

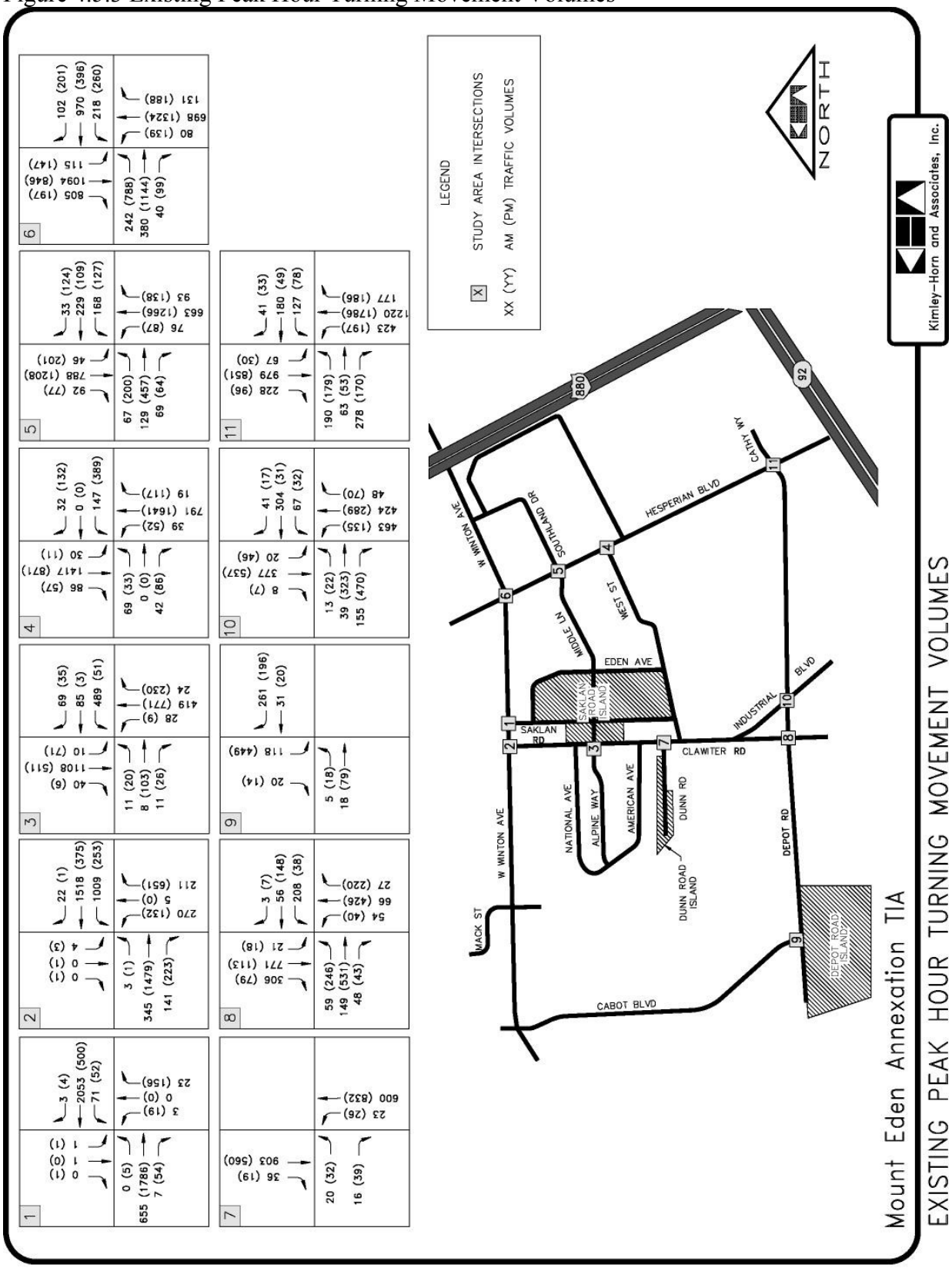


Figure 4.5.3

Figure 4.5.4 Saklan Road Island Project Trip Distribution

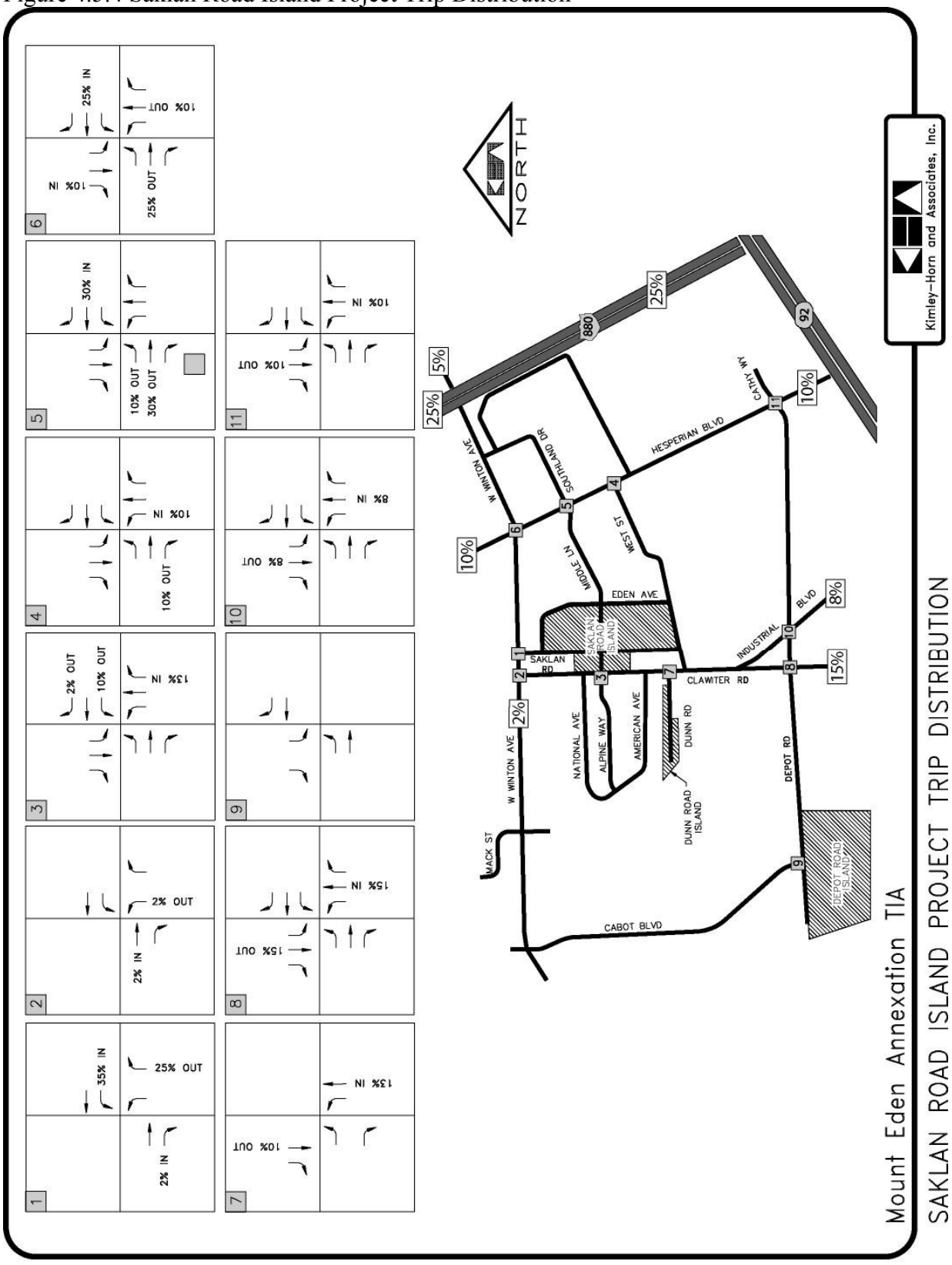


Figure 4.5.4

Figure 4.5.5 Dunn Road Island Project Trip Distribution

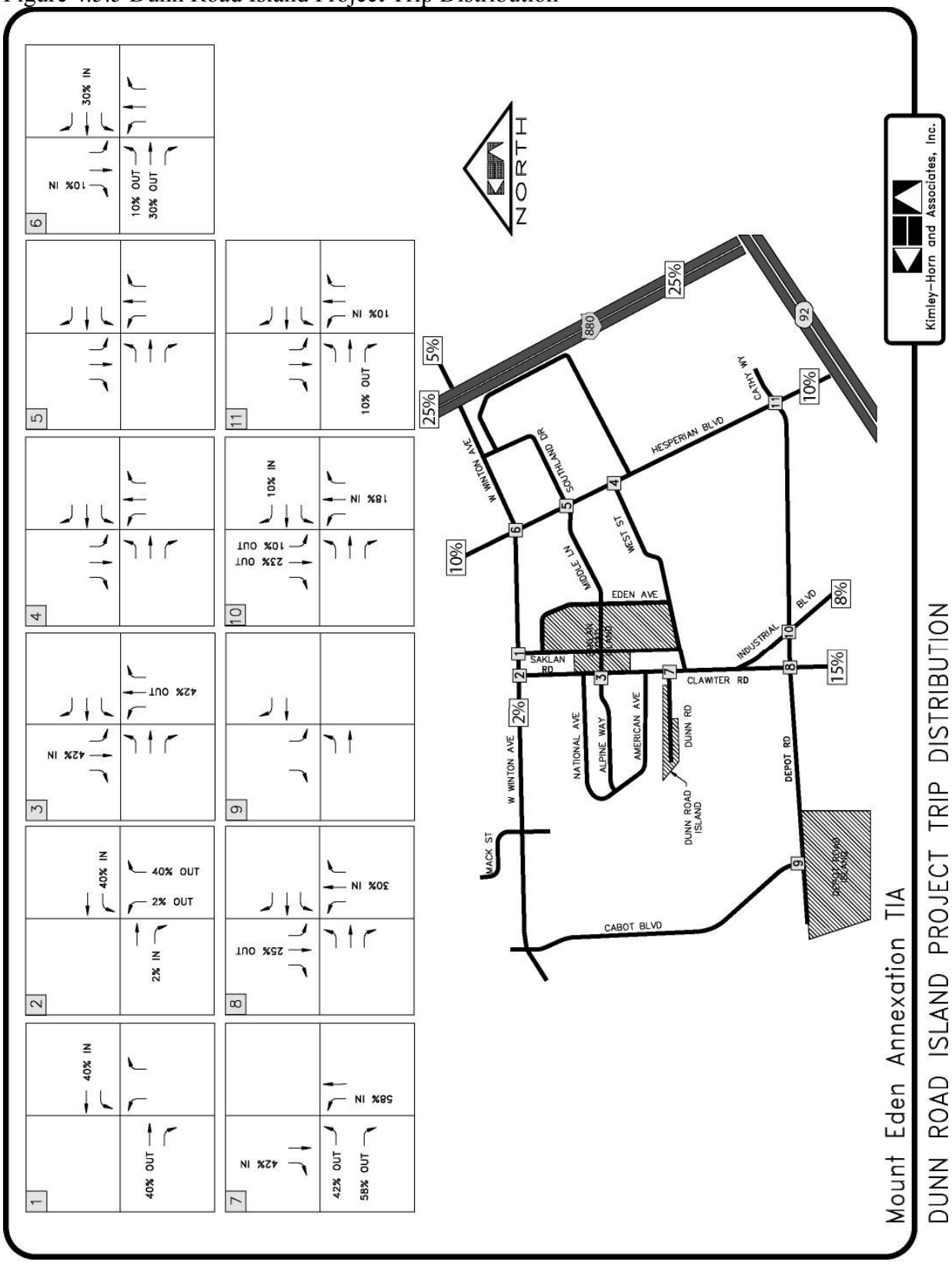


Figure 4.5.5

Figure 4.5.6 Depot Road Island Project Trip Distribution

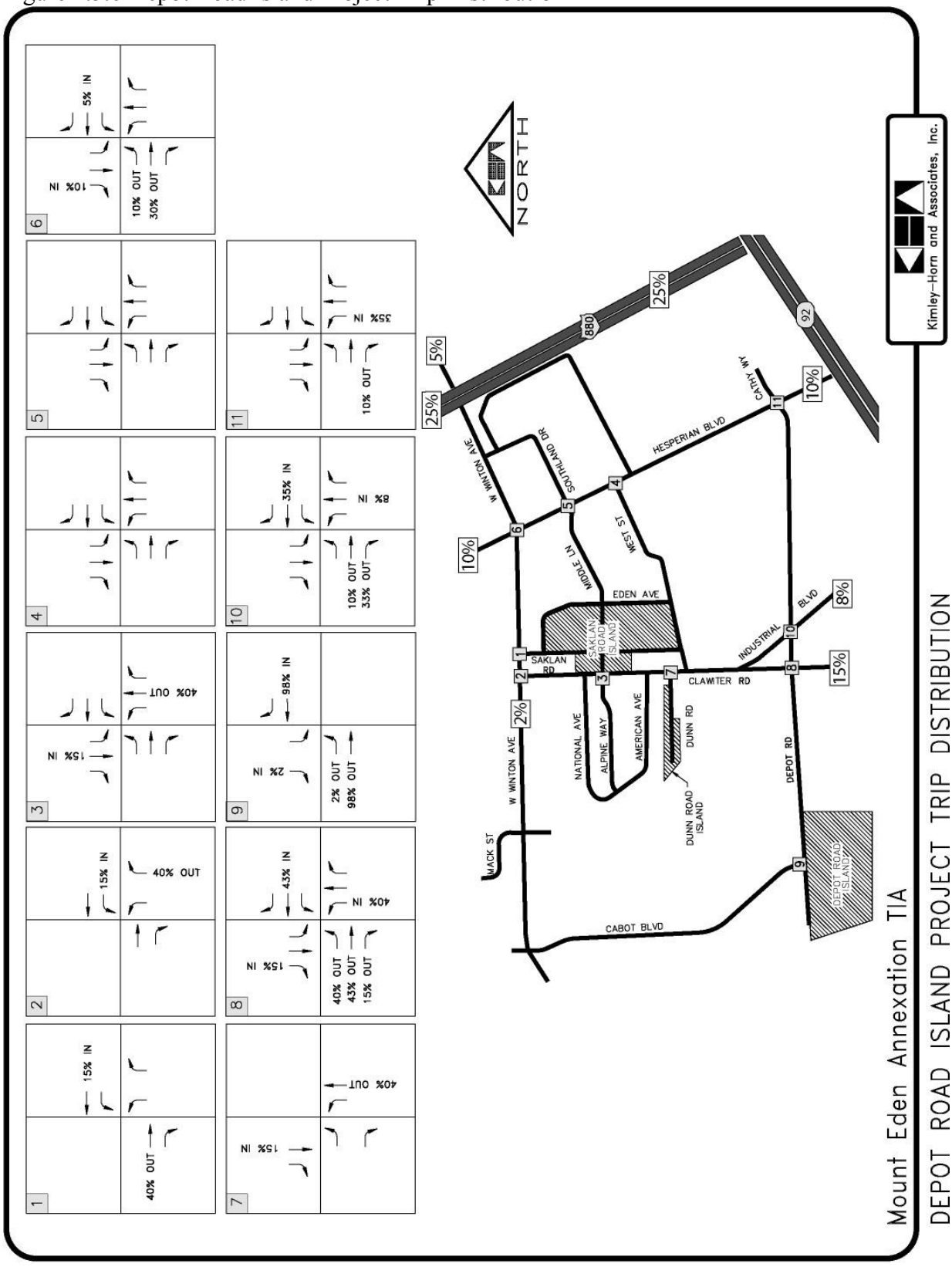


Figure 4.5.6

Figure 4.5.7 Existing plus Project Traffic Volumes

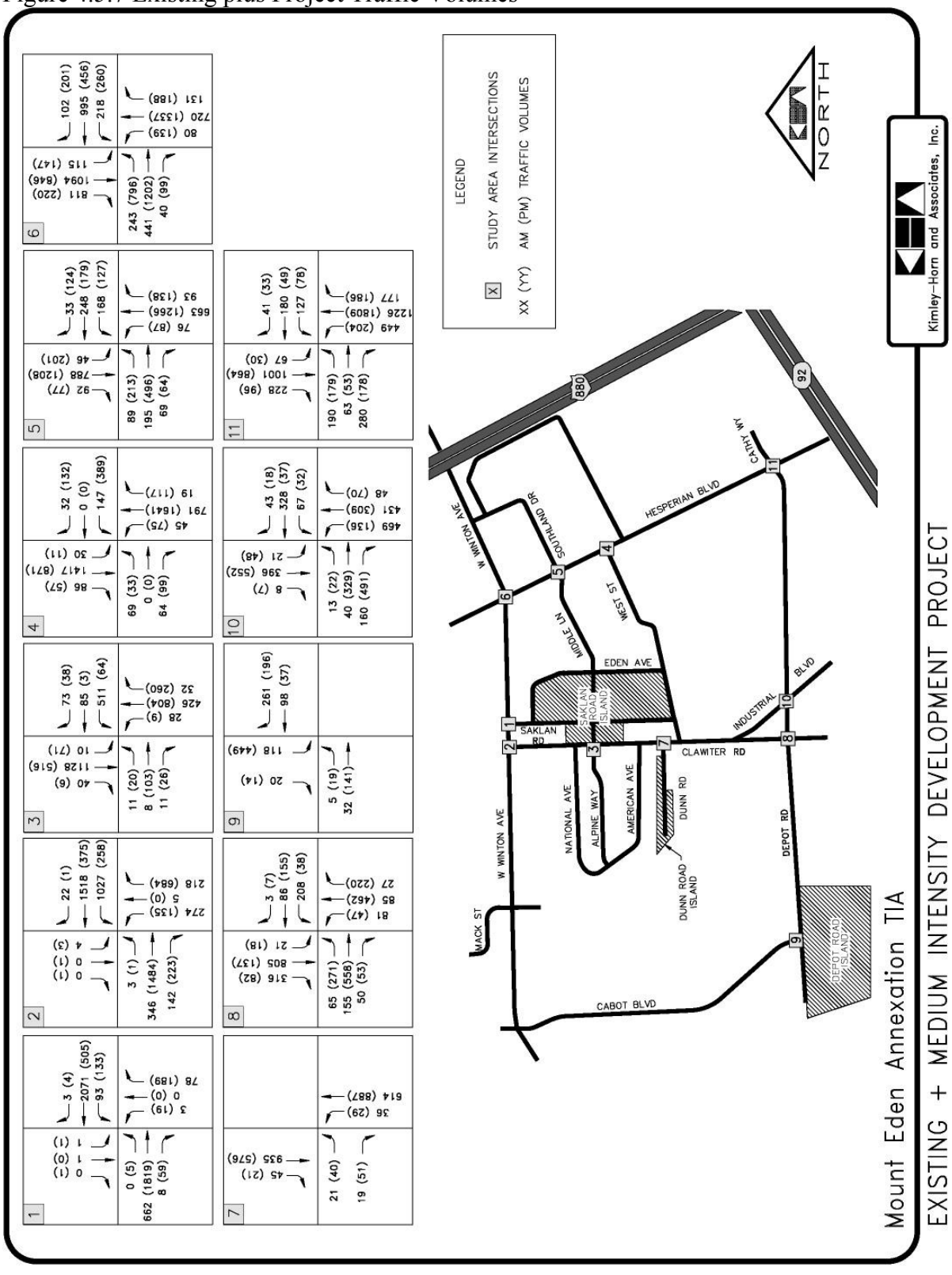


Figure 4.5.7

4.6 UTILITIES AND PUBLIC SERVICES

ENVIRONMENTAL ISSUES

This section of the EIR discusses provision of community services, including fire and police services and utility systems, including water, sanitary sewer, and solid waste disposal, natural gas, and electricity and telecommunication systems.

ENVIRONMENTAL SETTING

Water demand and supply
The City of Hayward provides water service to residential, commercial and industrial users within most of the incorporated area of the city. The City owns and operates a water distribution system, including transmission lines, pump stations and water turnouts. Water is purchased on a wholesale basis from the San Francisco Water Department. Water is delivered to the City via two aqueducts that have a maximum capacity of 32 million gallons per day.

The City's water is provided by the San Francisco Public Utilities Commission (SFPUC) in accordance with the terms of a contract between the two agencies. This contract requires the SFPUC to deliver quantities needed to serve the City within the capability of SFPUC to do so, as long as water supplies are normal. During periods of drought, the City is required to cut back water demand to a specified level, similar to what other agencies would be required to do. In 2003, the average daily demand was 18.5 million gallons per day. The SFPUC system is a regional water system that serves 28 other local cities and districts, in addition to the City of San Francisco. Hayward is expected to implement water conservation and demand reduction practices, as are other agencies.

The water distribution system, which is owned and operated by the City, provides sufficient water supply and pressure to service existing needs, including peak demand, fire protection and other emergencies. Prior to expanding the distribution system into the Project area, City staff would need to assess demand and approve a "backbone" distribution system to ensure the most appropriate water delivery.

The City of Hayward has adopted a water efficient landscape ordinance that will assist in minimizing future water use of developer-installed irrigation systems for new landscaping associated with new development.

Water service to residences and other facilities within the unincorporated portion of the Project area is provided by a variety of sources. Approximately 22 of the 150 properties within the Project area are connected to the City of Hayward's public water system. An estimated 25 residential properties within the Saklan Road island area are served by the Mohrland Mutual Water Association, a private water company. The primary source of water for the Mohrland Water District is a well located south of the Project area along Mohr Drive. The remainder of the properties within the Project area own and maintain private wells. **Figure 4.6.1** depicts

water facilities and shows those properties in the Project area that are connected to the City's water system, along with those properties connected to the Mohrland Mutual Water Association system.

Emergency Water Services
The City has entered into emergency intertie agreements with Alameda County Water District and East Bay Municipal Utilities District to provide water in the event that a limited term emergency or planned maintenance cuts off or severely reduces water supply to the City.

Wastewater collection, treatment and disposal
The City of Hayward is responsible for collection and treatment of wastewater within the community. The City maintains a number of underground sewer lines within and adjacent to the Project area (see **Figure 4.6.2**). Wastewater is collected and transported via a number of major trunk sewers to the City's wastewater treatment plant located at the terminus of Enterprise Avenue in western Hayward. The plant currently treats an estimated 13.4 million gallons per day (mgd) of wastewater and has a rated capacity of 16.5 mgd. Major improvements to the plant are being designed to increase the plant's treatment reliability and unit processes redundancy. The improvements are scheduled for construction in the next three years. Treated effluent from the plant is disposed through East Bay Dischargers Authority facilities within San Francisco Bay.

Treatment and disposal of wastewater for the Project area is provided primarily through septic systems or similar features, privately owned and maintained by individual property owners. However, 38 of the 150 properties within the Project are connected to the City's sewer system, as shown in **Figure 4.6.2.** Prior to expanding the wastewater collection system into the project area, City staff will need to assess system needs and approve a "backbone" collection system to ensure the most efficient and cost-effective wastewater collection service.

Solid waste disposal
Waste Management, Inc. has a franchise agreement with the City of Hayward to provide solid waste collection to both residences and businesses within Hayward. Residential recycling services are provided under the same franchise. However, business recycling services are not provided under the City's franchise agreement with Waste Management, Inc. and are not subject to said franchise. Solid waste is transported to the Altamont Landfill in eastern Alameda County on Greenville Road, which is owned and operated by Waste Management Inc. The landfill has an estimated remaining capacity through the year 2024.

The City of Hayward is mandated by state law (AB 939) to reduce the amount of solid waste that is landfilled by implementing waste reduction and recycling programs. AB 939 requires the City to divert from disposal 50% of the municipal solid waste generated beginning in the year 2000 and each year thereafter. The goal was met in 2000 and 2001 by the City of Hayward, but the City's diversion rate fell short (49%) in 2002. In 2001, the City adopted an ordinance to require submittal of plans for recycling of construction and demolition debris. The Ordinance is intended to further reduce the adverse impacts of construction and demolition on waste generation, and help reduce the City's lanfilled waste.

The Project area is also served by Waste Management, Inc. pursuant to a franchise agreement with Alameda County. Garbage and recycling collection services are comparable with those

provided residents and businesses within incorporated Hayward. Comparable services include weekly curbside collection of garbage, recyclables, and green waste for residents of single-family dwellings. The differences in service include a different type of container provided for single-family dwellings in which to store commingled recyclables for placement at the curb, and every-other-week recyclable collection for multi-family dwellings.

Fire protection

Fire and emergency medical service to the Project area is provided by two agencies. The City of Hayward Fire Department provides fire suppression, emergency medical, fire prevention, hazardous materials response and related services to the incorporated portion of the Project area as well as the entire City of Hayward. The Department employs a staff of 148 with 62 firefighters certified as paramedics. Hayward Fire Department staff responds to approximately 13,000 calls for service per year. Nine operating stations are maintained by the Department, which house eleven fire companies. These consist of nine engine companies, which are first responders and provide fire suppression, and two truck companies that provide structural entry, ventilation, laddering and rescue operations as well as medical response.

The fire station nearest the Project area is Fire Station #6, located near the intersection of West Winton Avenue and Hesperian Boulevard (140 West Winton Boulevard), which has one fire engine and three firefighters. The Department has adopted response time criteria for emergency calls for service, including a response of five minutes for arrival of the first engine company to a call, an arrival time of seven minutes for the first truck company and the arrival of the balance of Fire Department within ten minutes. Given the close proximity of Station #6 to the Project area, the response time for the primary company would be well within the City's response criteria.

Fire protection service for most of the unincorporated portions of the County in the vicinity are provided by the Alameda County Fire Department, headquartered in San Leandro. Nearest County fire stations include Fire Station #1, located at 437 Paseo Grande in San Lorenzo and Fire Station #2, located just north of the City of Hayward limits at 109 Grove Way.

In 1983, the City of Hayward and Alameda County entered into an agreement whereby the City of Hayward would provide primary fire protection services for the unincorporated lands in west Hayward, with reimbursement provided by the County for services rendered. Under this agreement, therefore, the City of Hayward has historically been and will continue to be the primary fire protection agency for the Project area.

The Hayward Fire Department responded to 24 calls for service in the Project area in 2003, 21 calls in 2002, 31 calls in 2001 and 29 calls in 2000.

Police protection

The City of Hayward Police Department provides police protection within the community, including crime prevention, investigation services, traffic control and animal control services to City residents.

Services are provided out of a main headquarters facility located at 300 Winton Avenue. The Department maintains a staff complement of 213 sworn officers out of a total staff of 309. The Department also maintains a variety of vehicles and support equipment. The Department goal

for response times for calls for service average three minutes for emergency calls and ten minutes for non-life-threatening calls.

For the unincorporated portion of the Project area, law enforcement services are provided by the Alameda County Sheriff's office, with the nearest facility being the Eden Township substation, located at 15001 Foothill Boulevard in San Leandro. The Sheriff's office is the first responder for emergency calls for service and also provides patrol, detection and school resource officers for residents of the unincorporated portion of Alameda County. Traffic services are not provided by the Sheriff.

The Sheriff's Department patrol beat for the unincorporated Mt. Eden area is shared with other unincorporated portions of the County in the San Lorenzo area.

The Hayward Police Department responded to 128 calls for service in the Project area in 2003, 166 calls in 2002, 104 calls in 2001 and 215 in 2000.

Power
Electrical and natural gas power is provided to the City of Hayward and the unincorporated portion of the Project area by Pacific Gas and Electric Company. Local electrical facilities include overhead transmission lines and underground natural gas pipes within local streets.

Telecommunications
SBC/Pacific Bell provides primary telephone and telecommunication facilities to the Project area (including both the incorporated and unincorporated portions) and surrounding communities. Other telephone and telecommunication facilities are available as well.

Regulatory framework
The Public Utilities and Facilities Chapter of the Hayward General Plan contains the following applicable policies and strategies:

<u>Emergency Response and Preparedness</u>

The City will seek to maintain an appropriate level of emergency response commensurate with the needs of its residents and businesses. (Policy 1)

Enforce building and fire prevention codes that require property owners to reduce wildfire hazards on their properties. (Strategy 2)

The City will promote disaster preparedness at both the citizen and governmental levels. (Policy 3)

<u>Public Utilities</u>

Public facilities will be maintained and operated in a manner that protects and enhances the environment. (Policy 4)

Control waste discharge to avoid contamination of water resources, damage to bay ecology and hill erosion. (Strategy 1)

Energy Conservation

Hayward will promote energy conservation. (Policy 5)

STANDARDS OF SIGNIFICANCE

The proposed project would be considered to result in a significant impact if it would result in:

- a substantial adverse physical impact associated with the provision of or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for police or fire protection;

- the need for new or expanded entitlements to water supply;

- the construction of new water or wastewater treatment facilities or the expansion of existing facilities, which could cause significant environmental impacts;

- the violation of wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board;

- a determination by the City of Hayward that it would not have adequate capacity to serve the anticipated demand;

- substantial adverse physical impacts associated with the provision of or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios or other performance objectives for other public facilities.

ENVIRONMENTAL IMPACTS

The following environmental impacts are anticipated should the Project be approved.

Water demand and supply
Approval of the proposed annexation and installation of public infrastructure improvements would allow future water service for the entire Project area by the City of Hayward. Existing private wells and water service provided by the private water company, the Mohrland Mutual Water Association, would eventually be phased out as new development is proposed within the Project area or as private wells are no longer functional. It is expected that properties currently served by the Mohrland Mutual Water Association would continue to receive water from this source until a change occurs, such as a change in use, intensification of the existing use, or a change in ownership.

The City of Hayward presently provides domestic water to several of the properties within the proposed Annexation area through outside Utility Service Agreements (USAs) (**see Figure 4.6.1**).

Implementation of the proposed Project would increase demand for water for domestic and fire fighting purposes within the annexation area.

A recent study of water use for new developments in the area has indicated that the average use for residential units is 400 to 600 gallons per day (gpd) per unit. Given that the lot sizes in the Project area will likely not be large, based on the pre-zoning designation of medium density, it is anticipated that the average water use in the Project area will be 400 gpd per residential unit. Given the anticipated 475 additional units that would be constructed in the Project area, total projected average daily water use for future residential development will be 190,000 gallons per day.

Estimated future non-residential water use is more difficult to predict, since usage will depend entirely on the types of business uses that are ultimately developed. However, based on the prezoning designations and those anticipated future uses identified in Sections 3.1 and 3.3 of this document, rough projections of future water usage are:

Sakland Road Island:
10.5-acre light industrial @ 1,600 gpad = 16,800 gpd
2.15-acre neighborhood commercial @ 1,320 gpad = 2,800 gpd

Depot Road Island:
41-acre R&D/Business Park @ 1,600 gpad (gallons per acre per day) = 65,600 gpd

Dunn Road Island:
15-acre light industrial @ 1,600 gpad = 24,000 gpd

The planning estimates yield a total estimated demand of 109,200 gpd for all non-residential uses.

Development in the Mt. Eden area is not specifically identified in the City's adopted 2000 Urban Water Management Plan (UWMP). However, several factors were considered in assessing the water supply for the project area. First, the UWMP provides for unforeseen development since the community as a whole is undergoing significant change and the scope of that change is not fully known. The assumptions that were made for planning purposes were generous enough to accommodate development in the project area. Second, actual usage has so far not met the demand anticipated in the UWMP. This has caused City Utilities staff to re-examine several of the planning assumptions and conclude that the demand in 2020 will be somewhat less than indicated in the UWMP. As demonstrated in the UWMP, however, the long-term water supply is expected to be sufficient to serve the City's needs even at the higher projected number. Utilities staff can, therefore, verify that the project water demand of less than 300,000 gpd in the project area conforms with demand projections in the UWMP and that the Hayward water system will have adequate water resources to serve the project area.

As noted earlier, Hayward water is provided by a regional water system with demands from other local agencies. Water conservation measures are critical to sustaining this supply, and any future development should be required to implement as many water-saving technologies as feasible.

Impact 4.6-1(water demand). Approval of the proposed annexation would allow City water service to be extended to the Project area. Future development of the Project area could require up to an average of 190,000 gallons of water per day for residential uses and 109,200 gallons per day for non-residential development. While water supply is available to serve the maximum demand for this project, it should be noted that ongoing standard water conservation and demand reduction measures should be taken to reduce the impact on the water supply (*less-than-significant impact and no mitigation required).*

Wastewater generation and treatment

As noted in the Environmental Setting section, a small number of properties within the Project area are currently connected to the City's wastewater system (**see Figure 4.6.2**). Upon annexation of unincorporated properties in the Project area to the City of Hayward, existing private wastewater systems would be phased out. In accordance with existing Municipal Code provisions, all properties within 200 feet of a public sewer system, including those currently served by private septic systems, will be required to connect to the City's wastewater system. .

Wastewater generation would be increased should the proposed annexation be approved and additional development facilitated, primarily due to an increase in domestic water use. The amount of wastewater generation would be a function of water use.

The quantity of increased wastewater demand anticipated to be generated from residential development in the annexation area would be 109,250 gallons per day, based on an average flow of 230 gallons per day per dwelling unit. This figure is slightly higher than the City-wide average of 200 gpd, as it accounts for growth in indoor water use, and associated discharge, by 2020.

About 70% of total commercial/industrial consumption is discharged to the sanitary sewer system; thus, it is reasonable to estimate that approximately 76,500 gpd (70% of 109,200) of wastewater discharge will be generated from anticipated future non-residential development.

According to City of Hayward Public Works Department officials, future development within the Project area, which is consistent with the General Plan, could be accommodated within the City's wastewater treatment and disposal system. However, a collection system plan would need to be prepared prior to approval of specific projects.

Impact 4.6-2 (wastewater generation and treatment). Per current Municipal Code provisions, approval and implementation of the proposed Project would require unincorporated properties in the Mt. Eden area to connect to the City's wastewater treatment system. New residential development facilitated by the annexation would generate up to an estimated 109,250 gallons of wastewater per day and 76,500 gallons per day for non-residential development. Adequate wastewater treatment plant capacity exists to accommodate new wastewater flows from the Project area, though a collection system plan that is typically required would need to be prepared prior to approval of specific projects (*less-than-significant impact and no mitigation required*).

Impact 4.6-3 (wastewater disposal). Approval of the proposed annexation and future

development in the annexation area would generate an increase in the amount of treated effluent leaving the City's wastewater treatment plant. Based on discussions with City staff, the local wastewater disposal system is anticipated to be adequate to accommodate buildout of the Project area, consistent with the General Plan. Disposal of increased quantities of treated wastewater would be less-than-significant (*less-than-significant impact and no mitigation required*).

Solid waste disposal
Annexation of the unincorporated portions of the Project area to the City of Hayward would have minimal impact on the solid waste collection service provider for existing properties, since all solid waste in the Project area, including unincorporated properties, is presently being collected by Waste Management of Alameda County (WMAC), and hauled to Altamont, regardless of governmental jurisdiction. Existing garbage and recycling collection services are similar to those provided residents and businesses within incorporated Hayward. The fees for those services are comparable to those assessed for incorporated residents and businesses.

New development in the Project area would increase the amount of short-term construction debris, as well as the ongoing solid waste that would be generated. Additional equipment and personnel may be needed to collect this increased amount of solid waste; however, such determination would be made by WMAC as new development is proposed. Fees and user charges would offset any increased capital and/or personnel costs. The City's existing franchise agreement with Waste Management expires in May 2007, at which time the unincorporated portions of the Project area could be included in the City of Hayward's new contract.

Adequate capacity exists within the Altamont Landfill to accommodate anticipated increases in the amount of solid waste.

When submitted, individual development plans would be reviewed by the City of Hayward Public Works Utilities Division staff to ensure that an appropriate number of solid waste and recycling facilities are provided and that solid waste collection trucks have adequate access to such facilities. The City of Hayward has adopted a construction and demolition debris recycling ordinance to further reduce the amount of landfilled waste.

Impact 4.6-4 (solid waste disposal). Approval of the proposed annexation would not change the current solid waste collection provider services; however, construction of new development would increase the amount of solid waste entering the waste stream. Additional quantities of solid waste, including construction debris, could be recycled at any permitted facility or disposed of at the Altamont Landfill. New capital equipment and personnel required to collect additional solid waste would be funded from user fees and charges (*less-than-significant impacts and no mitigation is required*).

Fire protection
Approval of the proposed annexation of the unincorporated properties to the City of Hayward would allow full service of the Project area by the Hayward Fire Department.

Future construction of new residential and non-residential development anticipated in the

Project area would increase the risk of fire to future residents, employees and visitors by adding new dwelling units and non-residential floor space. The number of calls for service for medical emergencies would also increase based on a higher resident and employee population. The timing of such increases are unknown and would be dependent on market forces.

Individual developments proposed within the Project area following annexation will be reviewed by the Hayward Fire Department for compliance with the Uniform Fire Code and all other normal City fire protection requirements as a part of the development review process. Conditions of approval will typically be attached to specific development projects including but not limited to meeting minimum fire flow for the type of construction proposed, providing access to all structures, installation of fire hydrants, built-in fire protection systems such as fire sprinklers, meeting life safety and exiting requirements and other provisions.

Extension of the City of Hayward's water system within the Project area would significantly assist in increasing fire safety in the area by providing a reliable water supply with adequate pressure.

Impact 4.6-5 (fire protection). Approval of the proposed annexation would place all of the Project area under the jurisdiction of the City of Hayward Fire Department. It would also increase the number of calls for service for fire protection and emergency medical response based upon eventual construction of new residences and non-residential development. Compliance with current Fire and Building Codes for all new individual development projects and extensions of the City's water service to the Project area would reduce this impact to a less-than-significant level (*less-than-significant impact and no mitigation is required*).

Police protection

Approval of the proposed Project and annexation of the unincorporated properties to the City of Hayward would allow police protection of the entire Project area by the Hayward Police Department. The Alameda County Sheriff would no longer have primary jurisdiction within this area. Residents of the Project area would benefit from a higher level of service, since Hayward Police Department maintains a higher officer-per-resident ratio than the County Sheriff's Office. Emergency response time would likely be improved, with a greater number of police personnel on patrol with smaller beat responsibilities.

The amount of potential new development proposed in the annexation area would represent an incremental increase in calls for service to the Police Department. Increases in call for police services will be evaluated periodically as part of the City's normal budget cycle and Police Department resources supplemented with appropriate increases in future budget years.

Individual developments proposed to be constructed within the Project area will be reviewed by the Hayward Police Department for compliance with the City's Security Ordinance and other standard safety and security requirements, including but not limited to such features as adequate visibility for surveillance, adequate light levels, installation of proper locks and other security devices.

Impact 4.6-7 (police protection). Approval of the proposed Project would place all of the

Project area under the jurisdiction of the City of Hayward Police Department. It would also increase the number of calls for service for emergency services based upon eventual construction of new residences within the City of Hayward. Adherence to standard security measures imposed by the Police Department would reduce this impact to a less-than-significant level (*less-than-significant and no mitigation is required)*.

Power

Since the Project area is presently provided power by Pacific Gas & Electric Company (PG&E), annexation of the unincorporated portion of the Project area would not effect continued provision of power service or expansion of service in the future to serve increased development. Based on the General Plan DEIR, adequate capacity is available in existing and planned facilities to accommodate increases in electrical and natural gas required for the construction and operation of new residential and non-residential uses planned for the Project area.

Impact 4.6-8 (electrical and natural gas systems). Approval of the proposed Project would facilitate incremental increases in the demand for electrical power and natural gas in the Project area; however, suburban uses have occupied portions of the area for a number of years and capacity exists with extensions of service lines within the Project area to serve planned uses. Annexation of unincorporated lands within the Project area would have minimal effect upon power provision (*less-than-significant impact and no mitigation required*).

Telecommunication

No changes to telecommunication services would occur upon annexation of the unincorporated portion of the study area to the City of Hayward, since SBC/Pacific Bell or other telecommunication service provider service areas are not based on local governmental agency boundaries. Approval of the proposed annexation and eventual construction of new land uses envisioned in the proposed Project would likely increase the demand for telecommunication facilities in this portion of Hayward; however, existing facilities can be extended to serve anticipated service demand increases. These are likely to occur on a project-by-project basis, as individual development projects are submitted to the City of Hayward for approval.

Impact 4.6-9 (telecommunication facilities). Annexation of unincorporated lands to the City of Hayward would not affect provision of telecommunication to the Project area. Construction of new development would increase the demand for telecommunication facilities within the Project area. However, existing facilities can be extended to serve the site so the impact to telecommunication services would be less-than-significant (*less-than-significant impact and no mitigation required*).

Figure 4.6.1 –Water Service Information

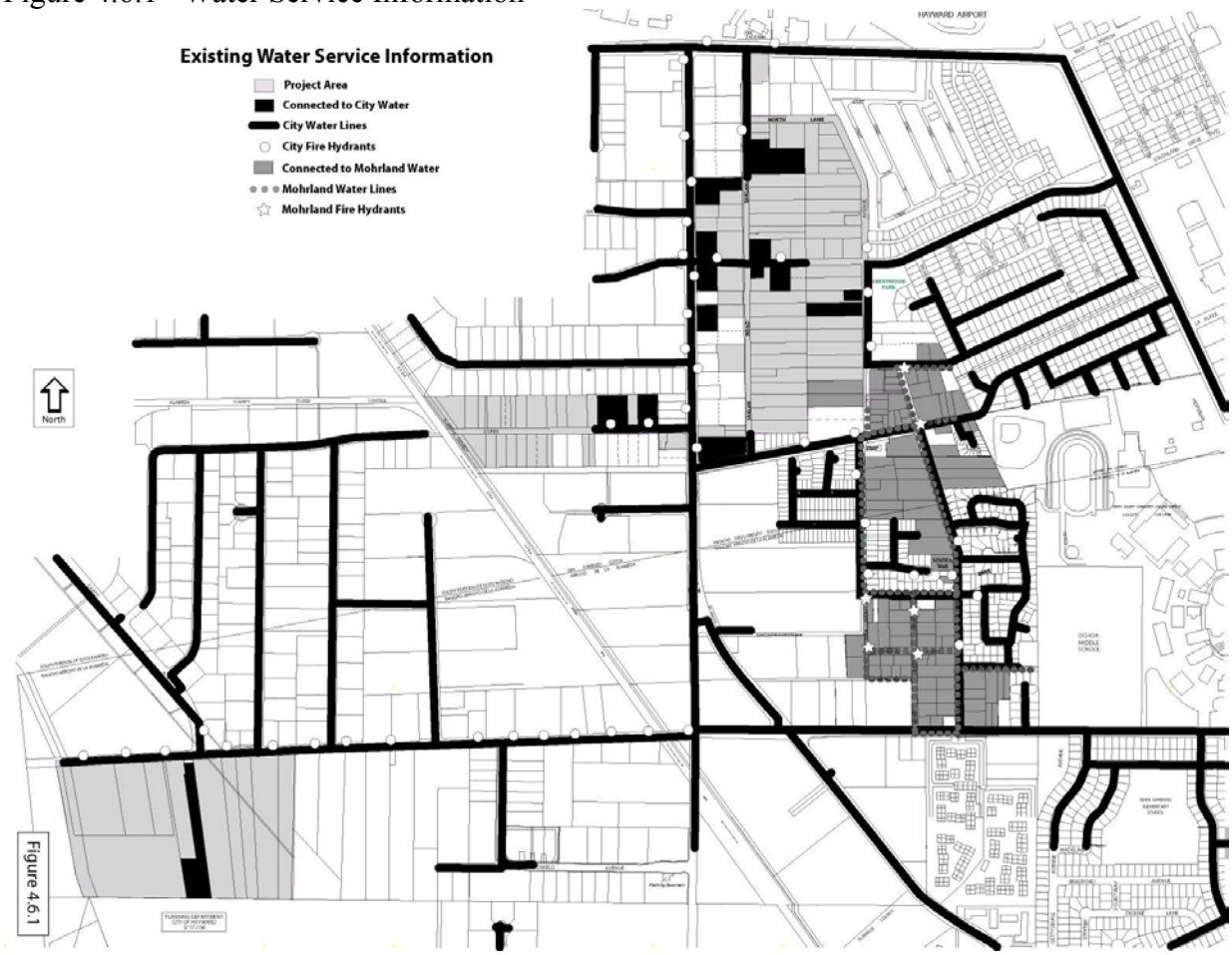
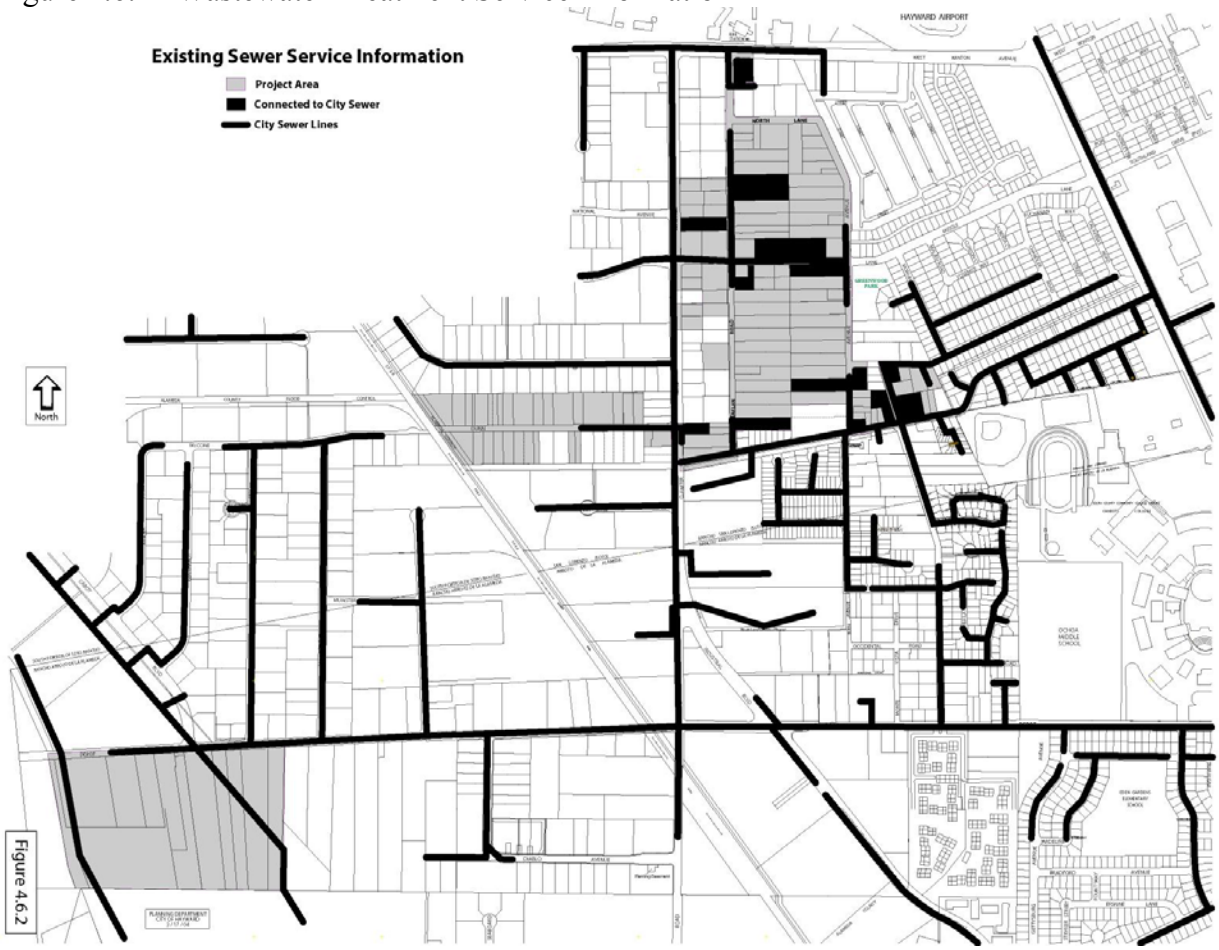


Figure 4.6.2 –Wastewater Treatment Service Information



4.7 PARKS, LIBRARIES AND SCHOOLS

ENVIRONMENTAL ISSUES

This section of the EIR discusses potential impacts to parks, libraries and school facilities.

ENVIRONMENTAL SETTING

Parks
The Hayward Area Recreation and Park District (HARD) provides local and community park and recreational facilities for use and enjoyment by local residents. HARD is an autonomous special district. Its boundaries include lands within the City of Hayward as well as the unincorporated areas of Fairview, Cherryland, San Lorenzo and Castro Valley.

Recreational facilities maintained by HARD near the Project area include the following, with the location of these facilities shown on **Figure 4.7.1**.

- Greenwood Park is located immediately east of the Saklan Road portion of the Project area on the southeast corner of Eden Avenue and Middle Lane. This facility contains approximately two-and-a-half acres of land and provides a bar-b-que and picnic area, basketball courts and an open lawn/play area.

- Rancho Arroyo Park is located approximately one-half mile southeast of the Project site at 2121 Depot Road, adjacent to Ochoa Middle School. This is a four-acre park developed with picnic and bar-b-que areas, basketball courts and an open lawn/play area.

HARD organizes and implements a wide range of year-around recreational programs for local residents of all ages. Programs and activities are made available at various locations of the city, but primarily at local parks and playgrounds.

Hayward currently requires subdividers to dedicate land to construct new parks or pay in-lieu fees to the City, for the acquisition and development of parks within the City. Hayward's standard for land dedication is 5 acres of parkland per 1,000 population. Maintenance of parkland is the responsibility of HARD, which is primarily funded by property taxes.

Hayward currently charges fees of $11,953 for each new detached single-family residence, $11,395 for each new attached single family residence and $9,653 for each new multiple family residence constructed in the District to assist in funding additional parkland and park facilities. Fees are levied at the time building permits are issued and collected prior to issuance of a Certificate of Occupancy.

Libraries
The City of Hayward library system serves residents within the incorporated City of Hayward and residents of the unincorporated portions of Alameda County within the Project area.

Residents of the unincorporated portion of Alameda County are also served by the Alameda County Library system.

The Hayward library system includes the Main Library, located at 835 "C" Street and Weekes Branch Library, located at 27300 Patrick Avenue. In FY 2001-02, Hayward libraries recorded 104,050 active borrowers, 512,000 customer visits and the circulation of 500,000 items.

The nearest Alameda County branch libraries near the Project area are located in Castro Valley, San Lorenzo and Fremont.

Schools
The Hayward Unified School District (HUSD) provides K through 12 educational services to the City of Hayward and the Project area. Schools nearest the Project area are shown in **Figure 4.7.1**, with their respective enrollments shown below in Table 6.

Table 6. School Enrollments and Capacities

School	2003-04 Enrollment (students)	Capacity (including portables)	Surplus/ (Deficiency)
Eden Gardens (K-6)	612	621	9
Ochoa Middle School (7-8)	600	702	102
Mt. Eden High School (9-12)	2,308	1,970	(338)

Source: Hayward Unified School District

In addition to educational facilities provided by HUSD, a variety of other private schools are available to residents of Hayward.

Regulatory framework
The Community Facilities and Amenities Chapter of the Hayward General Plan contains the following policies and strategies related to educational opportunities, library facilities, parks and recreational opportunities.

Advocate the pursuit of academic excellence and the establishment of high standards for physical facilities in the local public schools. (Policy 1)

Support efforts of the Hayward Unified School District to purse adequate funding for school operations and facilities. (Strategy 2)

Cooperate with the Hayward Unified School District to ensure that the impacts of the new development are addressed and that appropriate mitigation areas are established. (Strategy 3)

Promote the concept of constructing new schools that contain the essential core

functions and activities and provide flexible classroom facilities. (Strategy 4)

Support the construction of multi-story schools to maximize the efficiency of available acreage for playground and other open space. (Strategy 5)

Support quality design in the construction of new school facilities. (Strategy 6)

Encourage rehabilitation of selected school facilities to bring the quality and condition of facilities throughout the district to a uniformly acceptable standard. (Strategy 7)

Promote vibrant and viable neighborhoods to encourage community involvement and investment in schools. (Strategy 8)

Encourage evaluation of reconfiguration proposals that would consolidate school campuses into larger facilities with a greater variety of courses and activities. (Strategy 10)

Library Facilities

Seek ways to enhance the role of the library system in meeting the information and educational needs of the community. (Policy 2)

Parks and Recreation

Seek to increase the amount, diversity and quality of parks and recreational facilities and opportunities. (Policy 5)

Work with the Hayward Area Recreation and Park District in the development and implementation of its Master Plan and support the District in its efforts to restore the revenue base. (Strategy 1)

Encourage the provision of recreational opportunities for all people, consistent with the changing demographic composition of the city. (Strategy 2)

Maintain parks in a consistent manner throughout the city and encourage neighborhood involvement in park maintenance. (Strategy 6)

Maintain park dedication requirements for new residential development at the maximum allowed under state law. (Strategy 7)

Establish park dedication in-lieu fees that reflect land costs. (Strategy 8)

Examine the feasibility of requiring land dedication rather than payment of in-lieu fees, consistent with state law. (Strategy 9)

Applicable policies from the Mt. Eden Neighborhood Plan (1990) include:

Provide parks, open space and streetscape appropriate to an attractive residential

neighborhood (Policy D)

Extend Greenwood Park to Denton Avenue. (Strategy 1)

Improve Rancho Arroyo Park; add facilities such as basketball, hanging bars, barbeques, picnic tables, and bicycle paths, discourage any Chabot parking on the school site. (Strategy 2)

Enhance Depot mini-park with a feature like a gazebo. (Strategy 4)

Examine the feasibility of requiring land dedication rather than payment of in-lieu fees, consistent with state law. (Strategy 9)

The Hayward Area Recreation and Park District (HARD) Master Plan was adopted in 1990. The Plan calls out the need for additional park facilities to serve the current underserved Project area. It also establishes park service radius standards as follows: 1/4 to 1/2-mile for local parks and 2 to 3 miles for community parks and centers. **Figure 4.7.1** shows existing local parks. HARD's Master Plan indicates a gap in local park service for much of the central and northern part of the Project area. HARD has indicated that a comprehensive update to the Master Plan will be initiated in the future.

STANDARDS OF SIGNIFICANCE

The proposed Project would be considered to result in a significant impact if there is a demonstrable increase in the use of a local or community park, playground or recreational facility, or the need for increased educational facilities to serve the proposed project, the construction of which would result in significant environmental impacts.

ENVIRONMENTAL IMPACTS

Parks

Approval and implementation of the proposed annexation would have no impact on HARD District boundaries, since the Project area already lies within this special district. Annexation of Project properties to the City of Hayward and their subsequent development could facilitate the demand for local and community parks and recreational facilities due to an increase in the number of permanent residents within the area.

Based on an average household size of 3.08 persons per dwelling taken from the 2000 U.S. Census, as applied to an estimated 475 new dwellings, which represents a mid-range density development scenario per the existing medium-density General Plan land use designation, an additional 7.3 additional acres of parkland within the Project area would be needed under City of Hayward parkland dedication requirements.

The City of Hayward levies a park dedication in-lieu fee to help off-set demand for new parks in the City based on new development.

Impact 4.7-1 (local and community park and recreation facilities). Approval of the

proposed annexation and subsequent development within the City of Hayward would increase the demand for local and community park and recreation facilities within the Mt. Eden area by 7.3 acres of parkland (*potentially significant and mitigation required*).

The following measure is recommended to mitigate this impact to a less-than-significant level.

Mitigation Measure 4.7-1 (local and community park and recreation facilities). Payment of park dedication in-lieu fees or dedication/development of parkland and/or recreation facilities, as approved by HARD, at the time future development is permitted, will off-set the demand for future parks. Possibilities for enhanced park and recreation facilities in and adjacent to the Project area may include the expansion and development of Greenwood Park, and/or the expansion of joint use facilities at Chabot College and Ochoa Middle School/Rancho Arroyo Park.

Libraries
Future development of the Project area would increase the use of Hayward library facilities by residents of the Project area. However, impacts to the Hayward library system would be minor and less-than-significant.

Impact 4.7-2 (library impacts). Future impacts to the library system would be minor (*less-than-significant impact and no mitigation is required).*

Local schools
Student generation rates associated with housing units throughout all of the District were published by the Hayward Unified School District in a 1999 Facilities Study. Table 7 identifies the estimated number of students to be generated by the various land use alternatives based on those rates.

Table 7. Estimated Student Generation

Grade Level	Dwelling Units	Student Generation*	Est. New Students
K-6	475	0.40	190
7-8	475	0.09	43
9-12	475	0.21	100

*Rates based on single-family detached dwelling. Multi-family dwellings would generate fewer students per dwelling. Higher rate used to estimate "greatest potential imapct."

According to information provided by the Hayward Unified School District, this number of additional students would result in an incremental but potentially significant impact to local public schools within the service area of the proposed Project.

Pursuant to SB 50, the current state law governing financing of new school facilities in California, payment of school impact fees to the school district represents acceptable mitigation of school impacts.

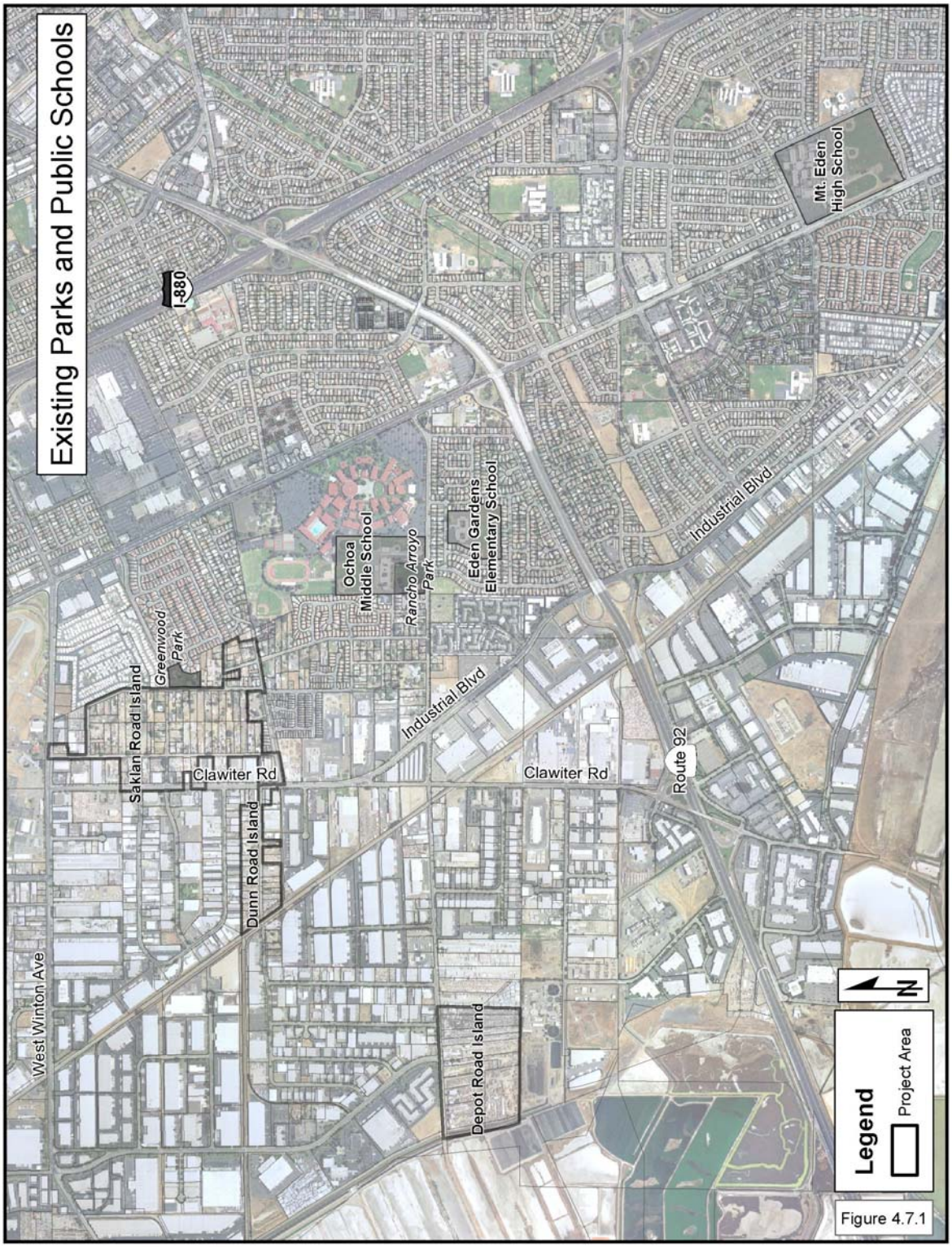
The Hayward Unified School District will continue to provide public educational facilities after completion of the proposed annexation of a portion of the Project area to the City of Hayward, since these properties already lie within District boundaries.

Impact 4.7-3 (local schools). Future development within the Project area would generate an estimated 190 elementary school students, 43 middle school students and 100 high school students at buildout of General Plan residential land use mid-range densities (*potentially significant and mitigation required*).

The following measure is recommended to mitigate this impact to a less-than-significant level.

Mitigation Measure 4.7-3 (local schools). Prior to approvals of land use entitlements for individual development projects within the Project area by the City of Hayward, each project proponent shall pay school impact mitigation fees in effect at the time building permits are granted, or provide other mitigation as found acceptable by the Hayward Unified School District.

Figure 4.7.1 - Parks and Public Schools



4.8 VISUAL RESOURCES

ENVIRONMENTAL ISSUES

Visual impacts would include would include obstruction of views and vistas, the creation of an aesthetically offensive view to the public or loss of Protected Trees, as defined by the City's Tree Preservation Ordinance, within the Project area.

ENVIRONMENTAL SETTING

Built environment
The Saklan Road portion of the Project area has been partially developed with primarily residential uses, generally single-family, but with a scattering of multi-family dwellings. A number of properties are vacant or are minimally developed. The Depot Road and Dunn Road portions of the Project area include industrial businesses, outdoor storage uses, automobile dismantlers and a limited number of single-family residences.

Existing trees
Many of the properties within the Project area have been developed for a considerable period of time. Numerous trees have been planted over the years, both on private property as part of development activities and within public rights-of-way, many of which have grown to significant size and would be considered Protected Trees, per the City's Tree Preservation Ordinance. Typical tree species include coast live oak, eucalyptus, pine, and silver maple.

Views and vistas
The Project site is relatively flat and distant views of the Hayward Hills to the east are visible from Greenwood Park and private properties.

Regulatory framework
The following Conservation and Environmental Protection Chapter General Plan strategies are applicable to the proposed Project.

> *Biological Resources. Protect and enhance vegetative and wildlife habitat throughout the Hayward area. (Policy 4)*
>
> > *Preserve mature vegetation where possible to provide shade, break unwanted wind and enhance the appearance of development. (Strategy 8)*

Applicable policies from the Mt. Eden Neighborhood Plan (1990) include:

> *Provide parks, open space and streetscape appropriate to an attractive residential neighborhood (Policy D)*
>
> > *Provide trees and walks along both side of Middle Lane and a landscaped buffer along Saklan Road, saving existing street trees where feasible. (Strategy 6)*

For attractive streets, require undergrounding of utilities in conjunction with street improvements utilizing conditions of approval or assessments on new development towards undergrounding utilities and abutting streets. (Strategy 7)

Article 15 of Chapter 10 of the Hayward Municipal Code (Tree Preservation Ordinance) regulates removal of trees within the community. Under this Article, certain trees having a minimum trunk diameter of eight inches measured fifty-four inches above the ground are considered protected trees. Other protected trees include street trees, trees planted as memorials, specimen trees that help define a neighborhood, and native trees as specified in the ordinance with trunk diameters of four inches or greater. Protected trees may only be removed utilizing specific criteria following issuance of a permit by the City.

STANDARDS OF SIGNIFICANCE

The following standards of significance are used to assess potential environmental impacts related to view obstruction, aesthetics and light and glare.

- Be incompatible with the scale or visual character of the surrounding area;
- Eliminate or substantially alter significant visual features, view corridors or public vista points;
- Removal of protected trees under the City's Tree Preservation Ordinance.

ENVIRONMENTAL IMPACTS

Loss of trees
Anticipated widening of local streets within the Project area, including Dunn Road, Saklan Road, Middle Lane, West Street and the northern portion of Eden Avenue to accommodate future development would remove many mature trees along these roadways. Future development on private properties within the Project area could also remove mature trees as vegetation is cleared to accommodate additional development in the City of Hayward.

Removal of protected trees on private property and along streets within future public rights-of-way would be considered a potentially significant impact.

Impact 4.8-1 (loss of trees). Future widening of streets within the Project area to accommodate anticipated development would result in loss of trees protected under the City's Tree Preservation Ordinance. Other protected trees would likely be removed on private property to accommodate development envisioned in the Hayward General Plan (*potentially significant impact and mitigation required*).

The following mitigation measure is recommended to reduce potential impacts related to loss of trees to a less-than-significant level.

Mitigation Measure 4.8-1 (loss of trees). Prior to widening of any streets within the Project area or development on private properties where protected trees exist, a tree survey shall be completed by a qualified arborist to determine if protected trees could be

preserved and to identify specific preservation methods. If preservation is not feasible, a tree replacement plan shall be prepared in conformity with the City's Tree Preservation ordinance and approved by the Hayward Community and Economic Director.

Views and vistas

Annexation of the Mt. Eden area to the City of Hayward and future development that would be facilitated in the City would add buildings and other structures that could block existing views to the Hayward Hills and other natural features. However, based on City of Hayward zoning standards that regulate height and bulk of structures, views and vistas would not be significantly blocked so that a less-than-significant impact would result.

Impact 4.8-2 (views and vistas). Future development in the Mt. Eden area within the City of Hayward could block some views of the Hayward Hills and other features. Adherence to the City's Zoning Ordinance would limit the height and bulk of new structures so that significant views would still remain *(less-than-significant impact and no mitigation required*).

5.1 Introduction

The California Environmental Quality Act requires identification and comparative analysis of feasible alternatives to the proposed Project which have the potential of achieving Project objectives, but would avoid or substantially lessen any significant impacts of the Project. The range of alternatives must be "governed by the rule of reason" and require the EIR to set forth a range of alternatives necessary to permit a reasoned choice.

5.2 No Project

CEQA requires an analysis of a "no project" alternative. Under this alternative, it is assumed that existing buildings and land uses would remain in their respective current conditions and no development would occur. Land use would continue to be regulated by the existing Alameda County General Plan policies and objectives, the Alameda County Zoning Ordinance and all other development regulations adopted by Alameda County, including the Mt. Eden Redevelopment Plan.

This alternative would avoid the range of environmental impacts previously described; however, certain existing environmental issues also described would not be remediated by the proposed annexation to Hayward.

- *Geology and Soils:* No excavation, grading or related impacts would occur so that erosion impacts would not occur. The same level of risk associated with earthquake and related seismic events would not change.
- *Hazards*: Existing sources of soil and groundwater contamination would remain within the Project area. Since no change to existing land uses would be encouraged, remediation of contaminated conditions would likely occur at slow pace.
- *Hydrology Drainage and Water Quality*: Existing hydrologic and drainage patterns would remain unchanged. Properties lying within 100-year flood hazard areas would remain. No major sources of soil erosion would be created, however; surface water quality would not be improved, since the majority of existing uses were established prior to the requirement for Stormwater Pollution Prevention Plans.
- *Noise*: Existing major noise generators on and near the area would remain, including vehicular-generated noise from adjacent roadways, railroad noise, noise from light industrial and service commercial uses within the Project area would continue to be generated.
- *Transportation, parking and circulation:* Existing traffic generation and street patterns would continue as currently found. Substandard street conditions within the Project area would remain. Major circulation improvements within the Project area, such as the linkage of Cabot Boulevard with Highway 92, could be made, but could be more difficult since the Project area would not be within the City of Hayward.

- *Utilities and Public Services*: No new or increased demand would be created for new and/or upgraded utilities and community services, since the existing level of development would remain. Therefore, there would be no need to extend police, water, sewer, telecommunication and power facilities to the area to support new development. Potential danger from fires would continue to be potentially significant, since a generally inadequate water system would not be upgraded. Existing private wells would remain, as would private septic systems. The City of Hayward would continue to be the primary responder to fire and emergency medical calls for service. No changes would occur to power or telecommunication service providers, since these services and facilities are not dependent on jurisdictional boundaries. There would be no change in the amount of solid waste generation within the Project area.
- *Schools and Parks:* There would be no increased use or demand for local or regional recreational facilities since the population of the area would not increase. Impacts to Hayward Unified School District facilities would be minimal, since no new residential development would occur.
- *Visual Resources:* There would be no widening of roadways and protected trees that would be eliminated by the proposed Project would not be impacted.

5.3 Maximum General Plan Density Development

Another alternative would include development of vacant and underutilized parcels within the Project area at the high end of the medium density range of the General Plan land use classification. Under this Alternative, a total of 575 new dwellings could be constructed within the Project area, an increase of 100 dwellings over that assumed for the proposed Project. The same amount of non-residential floor space would also be constructed as under the proposed Project. Based on an average person-per-dwelling unit occupancy, this alternative would result in an estimated population increase of approximately 300 additional people over the proposed Project.

- *Geology and Soils:* A somewhat greater amount of grading and soil disturbance would be required under this alternative, since a higher number of residences would be accommodated. New dwellings and other building would be more resistant to seismic hazards than the No Project alternative, since they would meet current building code requirements. The amount of increased grading and soil disturbance is not anticipated to be significant.
- *Hazards*: More residents within the Project area could be exposed to existing soil and/or groundwater contamination than the proposed Project, since there would be a higher population. However, new development would also be required to assist in remediating contamination to the extent the property owner or site user may have been responsible for any contamination, the same as under the proposed Project. Overall, there would be no significantly different impacts than under proposed Project conditions.
- *Hydrology Drainage an Water Quality*: Additional stormwater runoff would be generated by an estimated 100 additional residences that would be constructed under this Alternative. Under new water quality standards that will be in effect, no net increase in stormwater runoff would be allowed from construction sites. Therefore, this Alternative would not result in additional stormwater runoff. Also, new development within the Project area under this Alternative would be required to prepare and

implement Stormwater Pollution Prevention Plans to ensure that surface water quality would not be degraded. New development lying within a 100-year flood hazard area would be required to comply with City of Hayward flood plain construction standards so this impact would be the same as associated with the proposed Project.

- *Noise*: Additional residents would be subject to potentially significant vehicle-generated noise along Clawiter Road and other major roadways within and adjacent to the Project area. Construction of additional residences and related improvements would also represent a slight increase in temporary construction noise. Both permanent and temporary noise impacts could be mitigated to a less-than-significant level through adherence to the same noise mitigations as recommended for the proposed Project.
- *Transportation, parking and circulation:* The maximum General Plan density alternative would generate slightly fewer trips during the day and at peak hours than the proposed Project. These are estimated to be 4,125 total daily trips, with 363 A.M. peak hour trips and 404 P.M peak hour trips. Vehicular trips would be slightly less since higher density apartment and condominium dwellings have a lower per-unit trip generation factor than single-family dwellings. Levels of service impacts are similar to those associated with the Project, and similar mitigations apply. Detailed trip generation and impacts analysis of this development alternative are included in the Kimley-Horne traffic impact analysis, which is available at Hayward City Hall, second floor, in the Engineering/Traffic Section of the Hayward Public Works Department. As with the Project, and as analyzed in the General Plan Update EIR, cumulative traffic impacts would be significant and unavoidable, and would require adoption of a statement of overriding considerations.
- *Utilities and Public Services*: The demand for police and fire services would increase under this alternative, since a greater resident population would be present within the Project area with an associated greater number of calls for service. Average water demand would increase be approximately 25,000 gallons per day over the proposed Project and wastewater generation would increase by approximately 20,000 gallons per day. These estimated increases would represent a significant increase over the proposed Project. Demand for telecommunication and power facilities and generation of solid waste would increase slightly from the proposed Project but would still be less-than-significant.
- *Schools and Parks:* There would be an estimated increase in the number of students generated within the Project area over the proposed Project. Using the same student generation ratios as identified in Table 7, the higher density alternative would generate the following students:

    - K-6 students: 230 students (40 greater than proposed Project)
    - 7-8 students: 52 students (9 greater than proposed Project)
    - 9-12 students: 121 students (21 greater than proposed Project)

  Payment of statutory school impact fees levied by the Hayward Unified School District (HUSD), or other measures acceptable to HUSD would provide mitigation for this potential impact. Potential impacts to Hayward Area Recreation and Park District (HARD) park and recreational facilities would also be somewhat greater under this alternative than the proposed Project. Under City of Hayward standards (5 acres of parkland per 1,000 residents), development of the Project area at the maximum General

Plan land use density would result in a demand for 8.85 acres of new parks, or 1.54 acres greater than that required by the proposed Project. Similar to the proposed Project, payment of in-lieu park fees or dedication and development or lands to expand Greenwood Park or expansion of other existing recreation or park fadcilities, in cooperation with HARD would provide full mitigation for this impact.

5.4 Alternatives Considered but Rejected

The City of Hayward also considered the following alternative to the Proposed Project:

- Larger annexation area, including the addition of the other two unincorporated areas in the area to the proposed annexation (see **Figure 3.1.3**).

The City of Hayward decided not to pursue annexation of these two additional unincorporated island areas based, in part, on community opposition expressed at an initial community meeting held in October, 2003. Such opposition was based, in part, on the desire of residents in those areas to continue to be served by the private water company that serves those areas, Mohrland Mutal Water Association. Annexation of these other two islands would negatively impact the water company. Such opposition would render this alternative infeasible in that annexation would likely not be approved; therefore, this alternative has not been considered further in the DEIR.

Other site locations do not represent feasible alternatives, since the proposed annexation of these unincorporated islands are site-specific and would not apply to incorporated portions of the City of Hayward.

5.5 Environmentally Superior Alternative

Section 15126 (d) (4) of the State of California CEQA Guidelines states that if the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. For this Project, the No Project alternative may not be the environmentally superior alternative. Under the No Project alternative, existing service deficiencies leading to potentially significant impacts would still remain, including but not limited to lack of extension of City water and wastewater facilities to serve existing properties which impacts the fire-fighting ability of the Hayward Fire Department, lack of remediation of soil and/or groundwater contamination, and a more difficult ability on the part of the City to provide traffic and transportation improvements within the Project area.

Potential impacts under the Higher Density Alternative would be approximately the same as the proposed Project, but impacts to utility and service systems, schools, parks, and storm drainage runoff would be somewhat greater than the proposed Project.

Therefore, the proposed Project would be the environmentally superior alternative.

6.0 Analysis of Long-Term Effects

This section of the DEIR addresses the potential long-term effects of implementing the proposed Project, as required by CEQA.

6.1 Short-Term Uses v. Long-Term Productivity

Relationship between Local Short-Term Uses of the Environment and the Maintenance and Enhancement of Long-Term Productivity

CEQA mandates that all EIRs consider the relationship between short-term use of resources, such as land for development purposes, versus the long-term benefits of allowing the subject property to remain as minimally developed residential properties and industrial lands, including wrecking yards, with little or no potential for redevelopment. The relationship between short-term use of environmental resources and the maintenance of long-term productivity is often one of trade-off, or of balancing social, economic, environmental and similar concerns over time. In some instances, a relatively short-term benefit may have adverse effects, with the possibility that future generations may be burdened with unwarranted social or economic costs. The opposite situation, in which long-term benefits occur at the expense of short-term impacts may also occur. The ultimate decision as to the unique balance of factors lies with the City of Hayward and the Alameda County Local Agency Formation Commission.

The Project under consideration is the proposed reorganization that would result in annexation of presently unincorporated lands to the City of Hayward and associated prezoning actions that could lead to the future estimated development of up to 475 additional dwelling units at the mid-point General Plan density, 540,000 square feet of R&D and business park use, 390,000 square feet of light industrial uses and up to 28,000 square feet of neighborhood commercial uses.

Short-term impacts anticipated to be associated with the implementation of the Project would include, grading and site preparation, potential for erosion of construction debris, potential of risk of upset due to disturbance of soil and groundwater contamination during construction, construction-related noise increases, and generation of construction related traffic. Potential long-term impacts would include exposure of additional people and properties to seismic risk, risk of exposure to future residents, employees and visitors to contaminated soils and/or groundwater, increased storm water runoff, increased permanent noise levels, increased local car and truck traffic, increased consumption of utilities and public services, including related to increased water consumption, an increased demand for public safety services (police and fire), increases in the quantity of solid waste, power and telecommunication services, and an increased demand for local and regional parks, library service and schools. There would also be impacts to the Hayward Unified School District in terms of demand for new classroom space, the Hayward Area Recreation and Park District in terms of demand for park and recreational resources.

As demonstrated in Section 4 of the DEIR, each of the above are considered less-than-significant impacts or can be mitigated to a less-than-significant level.

Also, long-term benefits would be gained with the development of needed housing in the City of Hayward.

6.2 Significant Irreversible Environmental Changes and Irretrievable Commitment of Resources

Approval of the proposed Project and associated subsequent construction of proposed land uses and facilities would indirectly result in irretrievable commitment and use of energy and non-renewable resources, including such resources as sand and gravel, lumber and other forest products, asphalt, petrochemicals and metals. The level and amount of commitment of such resources is commensurate with similar development projects undertaken in the Bay Area and throughout California and the nation. In the long-term, future residences and other facilities constructed as part of the proposed Project would also use electrical and natural gas energy for heating and cooling. Again, this use of energy resources would be subject to current building regulations mandating energy conservation and would be similar in nature to other development projects in the Bay Area.

6.3 Growth Inducing Impacts of the Proposed Project

All EIRs must consider the potential growth inducement of projects. A project is generally considered to be growth inducing if it will foster economic or population growth or will cause the construction of new housing, either directly or indirectly, within a given geographic area. Projects which remove obstacles to population growth are also deemed to be growth inducing. Increases in population may strain existing community services or utility systems, so consideration must be given to this impact. The characteristics of a project that may encourage or facilitate other growth activities which could significantly affect the environment, either individually or cumulatively, must also be discussed.

Approval of the proposed Project could not be considered growth inducing, since proposed land use types and densities within the Project area are consistent with those depicted in the Hayward General Plan. Also, the Project proposes annexation of properties already included in the City of Hayward's LAFCO-approved Sphere of Influence. Land within the incorporated City of Hayward surround the Project area on all sides.

6.4 Cumulative Impacts

Cumulative impacts are those which taken individually may be minor but, when combined with similar impacts associated with existing development, proposed development and planned but not built projects, have the potential to generate more substantial impacts. CEQA requires that cumulative impacts be evaluated when they are significant and that the discussion describe the severity of the impacts and the estimated likelihood of their occurrence. CEQA also states that the discussion of cumulative impacts contained in an EIR need not be as detailed as that provided for the project alone.

Since proposed land uses would be identical to those analyzed in the General Plan EIR, cumulative impacts of annexing the Project area to the City of Hayward and future development of the area have been adequately addressed in the General Plan EIR.

Generally, cumulative impacts are anticipated to be de minimum or insignificant because there would be no change to land use designations as a result of approving and implementing this project, and the mitigation measures included in this DEIR as well as goals and strategies set forth in the Hayward General Plan would ensure that cumulative impacts would be less-than-significant. However, as noted in this document and as analyzed in the General Plan Update EIR, cumulative traffic impacts would be considered significant and unavoidable.

6.5 Significant and Unavoidable Environmental Impacts

Unavoidable significant adverse impacts are those impacts that cannot be mitigated to a less-than-significant level. CEQA requires decision-makers to balance the benefits of a proposed project against its unavoidable impacts in considering whether to approve the underlying project. If the benefits of the proposed project outweigh the anticipated unavoidable impacts, the adverse environmental impacts may be considered acceptable by the Lead Agency. To approve the project without significantly reducing or eliminating an adverse impact, the Lead Agency must make a Statement of Overriding Consideration supported by the information in the record.

The General Plan Update EIR, certified by the City of Hayward in 2002, identified three significant and unavoidable impacts: regional traffic and roadway congestion, construction noise and seismic groundshaking.

Based on the analysis contained in this DEIR, impacts related to construction noise were identified as potentially significant and a mitigation measure has been included in this DEIR to reduce these anticipated impacts to less-than-significant levels.

Mitigation Measure 4.1-1 has been included in this DEIR to reduce seismic groundshaking impacts to future buildings and structures to a less-than-significant level.

Since land uses, densities and intensities anticipated within the Project area will be consistent with the adopted General Plan, a new statement of overriding considerations associated with impacts related to regional traffic and roadway congestion would be required to be adopted by the City of Hayward, if the Project is approved.

7.1 Persons and Organizations

EIR Preparers

The following individuals participated in the preparation of this document.

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Hayward Unified School District: Alana DiasAlameda County Fire Department: Deputy Fire Marshal Bill Snodgrass
Alameda County Sheriff's Office: Lt. Bill Gaudinier
Alameda County Flood Control & Water Conservation District: Andrew Otsuka, Flood Control Engineer
State of California, Department of Toxic Substances Control, website

7.2 References

The following documents, in addition to those included in the Appendix, were used in the preparation of this DEIR.

City of Hayward General Plan, March 2002

City of Hayward General Plan Update EIR, Lamphier-Gregory Associates, March 2002

City of Hayward, Mt. Eden Neighborhood Plan, 1990

Hayward Area Recreation and Park District Master Plan, 1990

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8.0 Appendices

Appendix 8.1
Notice of Preparation

Appendix 8.2
Initial Study

Appendix 8.3
Responses to Notice of Preparation
(available at Hayward City Hall, Planning Division)